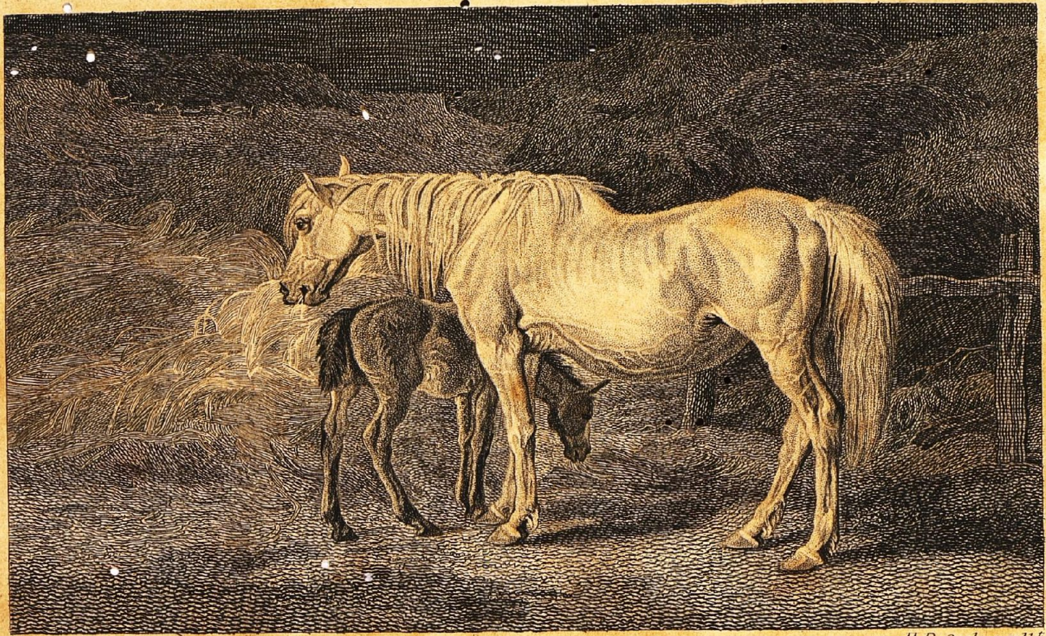

J. Ward Pinx.t H.R. Cook sculp.t

Primrose.

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THE

SPORTING MAGAZINE.

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PRIMROSE.

THIS brood mare has been engraved from a painting of Mr. Ward's; but not being enabled at present to give her pedigree, it only remains for us to remark on the excellence of the picture from which it is taken, as well as the delicacy with which it has been engraved. The name of the artist is inscribed on the plate; viz. Mr. H. R. Cook, of Upper Titchfield-street.—Much care has been taken by the printer in taking off good impressions, a rule that will be invariably adhered to in working the future copper-plates of the SPORTING MAGAZINE.

RACES APPOINTED IN 1810.

NANTWICH	*July*	3
Cardiff		3
Ipswich		3
Stamford		3
Irvine, Bogside		4
Newmarket July Meeting		9
Oxford		11
Ludlow		11
Winchester		17
Preston		17
Swansea		17
Swaffham		18
Chelmsford		24
Bridgenorth		24
Ormskirk		25
Salisbury		25
Brighton		27
Haverford-West		30
Knutsford		31
Newcastle, Staffordshire	*Aug.*	7
Taunton		7
Worcester		7
Bodmin		7
Tré-Madock		7
Nottingham		14
Canterbury		14
Blandford		15
Exeter		23
Egham		28
Warwick	*Sept.*	4
Ayr, Scotland		5
Bedford		5
Northampton		12
Kingscote		18
Lincoln		19
Leicester		19
Walsall		26
Newmarket First Meeting	*Oct.*	1

JUDGMENT OF THE COURT OF KING'S BENCH,

Upon Mr. Hunt, for an Assault.

ON the 30th ult. 1810, Mr. Burroughs moved for the judgment of the Court against Henry Hunt, Esq. for an assault on the person of Wm. Stone.

This was an action tried before Mr. Baron Graham, at the last assizes for Salisbury: the following were the circumstances. The defendant is a gentleman of sporting notoriety, residing in Wiltshire. The plaintiff is a game-keeper to —— Bennett, Esq. whose estates join that of the defendant. Stone had been directed by his master to serve a notice on the defendant, warning him not to trespass up-

on his manors. He accordingly watched for an opportunity to serve it, and for that purpose followed the defendant one morning when he was going out on horseback, and watched his opportunity to drop the notice into the pocket of his shooting jacket; immediately upon which the defendant dismounted, and seizing Stone, beat him in a violent manner. The Jury at the trial, found the defendant guilty without hesitation.

Several affidavits were read in mitigation, in which it was contended, that the plaintiff first assaulted and struck the defendant on the side, and that it was not till after he had struck the plaintiff, as he conceived in his own defence, that he was informed the latter had served the notice upon him. The defendant also addressed the Court at considerable length, and contended, that, although the present prosecution had been brought against him for the avowed purpose of preserving the game on Mr. Bennett's manor; yet it was, in fact, partly a prosecution on account of a difference in the political opinion of himself and that gentleman.

Mr. Justice Grose, in pronouncing judgment, animadverted in very severe terms on the conduct of the defendant, and on the defence which he had attempted to set up, which he observed the Jury at the trial had not found a shadow of reason to believe. The defendant had been guilty of a most violent assault upon the person of a servant executing the lawful commands of his master, a conduct which the Court could not fail to visit with severe punishment. The sentence of the Court therefore was, that the defendant should be imprisoned in the Marshalsea prison for three months, and at the expiration of that time, enter into recognisance to keep the peace for three years, himself in 200l. and two sureties in 100l. each.

COCKING INTELLIGENCE.

A Welch main of 16 cocks was fought on Thursday, the 17th day of May last, at a private pit, adjoining the Nag's Head public house, at Whittlesey, in the Isle of Ely, for a fat hog, which was won by the gentlemen of Chatteris, in the said Isle, with a blue-dun cock belonging to Mr. John Smith, and a silver-grey cock belonging to Mr. John Angood, which cocks came first and second.

N. B. The above hog was killed on Wednesday, the 13th instant, and measured 7 ft. 6 in. round, 7 ft. 6 in. in length, and weighed upwards of 81 stone, 8 lbs. to the stone.

On Tuesday, June 6, a Welch main of sixteen cocks was fought, for a fat bullock, value forty guineas, at the Ship and Chequer, Huntingdon, which was won by a black-breasted red cock, belonging to Mr. Philips, who drives the coach called the Defence, from Huntingdon to London.

DISPUTES
BETWEEN GENTLEMEN,
On Points of Honour, &c. &c.

Captain Foskett *versus* the Duke of Cumberland.

IT will be seen, by a reference to page 109, in our Magazine for this month, that we have noticed the pamphlet, which Captain Foskett hath published, in full explanation

nation of his conduct, as the second, in a duel which took place between Cornet Ross, and Lieutenant Wallace, being both officers in the 15th King's light dragoons.

On recurring to the quotations from that pamphlet, it will be perceived that this duel originated from a correspondence between Mr. Ross and Mr. Wallace; the subject of the former gentleman's letter is to urge the payment for some horses, which he had sold to Mr. Wallace; and this urging of payment, among some gentlemen, it must be confessed hath ever been a very great offence, for time immemorial: and in that light it was considered by Mr. Wallace, who certainly had some reason to complain of the *matter* of the letter, that he received, if not of its *tenor*: yet neither the matter, nor the tenor, could justify such an answer as he returned—It involved such a spirit of coarseness as no gentleman could suffer to pass unnoticed, particularly a military man; and was, in some points, so insultingly boasting, as to lose half its interest, as to obnoxiousness, in the ridicule which it excites!

A duel it appears ensued in pursuance of these harsh measures, in which Captain Foskett was second to Cornet Ross; and it was *ostensibly* for acting thus, that Captain Foskett incurred the high displeasure of the Duke of Cumberland, his commanding officer; yet, agreeably to the judgment that we have formed on perusing this pamphlet, we cannot trace the apparent injuries that he has suffered *to that particular cause!*—This subject is not only very important and delicate, from the relation that it bears to the discipline and well-being of the British army, yet we cannot avoid saying, (without departing in any sense from that respect which is due to the illustrious personage who is more immediately connected with this unpleasant affair) that we view it as an high aggravation of Captain Foskett's wrongs, that, at least, the most grievous of them all, did not, and could not, (in accordance with the evidence) proceed from the cause to which they are now ascribed.: as the duel took place in the month of December, 1806; and it is not even attempted to be denied, that so far back as the month of April, in the same year, a plan was formed, and arrangements were making, to raise Captain Broadhurst, a junior officer, over Captain Foskett's head!

It is obvious, therefore, (says the author of this pamphlet) that long before the duel, his Royal Highness the Duke of Cumberland had begun systematically to oppose Captain Foskett's promotion: and the vexatious system of refusing him the customary leave of absence had also commenced before that event took place, several applications for that purpose having been previously rejected, though their object was only for a week's leave of absence, on business of urgent importance.

We find from a letter which the Duke of Cumberland wrote to Colonel Gordon, dated January 9th, 1807, that he assigns the duel as the cause of Captain Foskett's not having had leave of absence granted him on the preceding 1st of January—But it appears the Lieutenant-Colonel, Seymour, who commanded the regiment at the time of the duel, did *not* consider the part which Captain Foskett took in that unlucky business, as furnishing any cause for refusing

to grant him leave of absence; of course the motive which the Duke of Cumberland assigned for such a refusal of leave of absence to Captain Foskett, did *not* appear to Colonel Seymour to warrant such an effect.

To justify the treatment of which Captain Foskett has complained, a general insinuation had been thrown out against him, as a negligent and an inefficient officer; but, happily for him, he has had it in his power to furnish a most triumphant answer to such an insinuation—as, in consequence of a letter from the Duke of Cumberland to the Adjutant-General, dated October 21st, 1808, explaining the reasons which had induced the Duke to order Captain Foskett to remain at home with the depot, when the regiment, in which he was senior captain, was ordered upon foreign service in Spain, Captain Foskett addressed a circular letter (see page 114) to the field officers of the 15th light dragoons, and received the most satisfactory testimonials of his great merits, as an officer, from Colonel Long, Major Forester, Colonel Aylett, Colonel Anson, and Major Leitch.

It is already known that Captain Foskett, conceiving himself to be most unjustly treated, and not having access to the Royal ear, did apply to the House of Commons for redress, but was unsuccessful, as to the issue of that application; although an omission, on the part of the Commander in Chief, to enforce certain essential principles declared in the first article of war, had been imputed to Sir David Dundas.

As to the duel, Captain Foskett appears to stand wholly exculpated, and all the parties seem to have been eager to do justice to his conduct on that occasion: among those necessary testimonials, the letter of Lieutenant Wallace bears a prominent character, in as much as the author very gallantly steps forward to vindicate the behaviour of the second of his adversary, when he was so circumstanced as to render that interposition necessary.

In regard to the general bearing of the case, we cannot avoid expressing our concern that it should have taken place, because our existence, as a nation, is greatly dependent upon the strength, and dignity, and harmony of our army: which, we apprehend, cannot be duly maintained, if a jealousy of adequate redress, in the event of a direct injury being committed, should ever influence a military character, as the army have their rights, in the upholding of which our own security is as much involved, as their honour and felicity. W.

BACKSWORD PLAYING.

MONDAY, the 11th instant, the Somerset single-stick players mounted the stage at Frome, precisely at half past nine, against all England. After waiting a full hour a Wiltshire man made his appearance and won a head; after which fourteen were awarded to the Somerset gamesters, seven having gained heads by playing, and none daring to oppose the remaining seven.—A purse of three guineas was in the course of the evening played for by young gamesters who had never won a prize—they in general afforded much hopes of becoming, at some future period, proficients in the science.—On Tuesday, the prize was awarded to the

the Somerset gamesters without even the form of contention. A purse of ten guineas was afterwards raised for nine of Wilts to play nine of Somerset, being their own terms; but after waiting in vain for a Wiltshire man to mount the stage, the Somerset gamesters disputed the prize amongst themselves, displaying the most profound courage, science, skill, and spirit, and making every amends for the backwardness of the Wiltshire men, by affording the most ample diversion to the spectators.

LORD HAWKE's ACCIDENT.

ON Thursday, the 14th instant, the Four-in-Hand Club assembled for the last time this season in Cavendish-square. The meeting was attended by five members only, in consequence of a serious accident having befallen Lord Hawke, who was thrown out of his curricle whilst proceeding to his stables, preparatory to joining the club. He was taken up nearly lifeless, having received some severe contusions on his head. —He was at first removed into a neighbouring house, and since to his own—and though attended by the most eminent of the profession, his lordship's recovery has been progressively slow.—The club proceeded to Salt-hill as usual.

THE DUKE OF KENT.

MRS. Clarke having put forth a publication, to retaliate on Colonel Wardle and his friends for the part they took in the affair of Wrights, the upholsterers, and the subsequent indictment for perjury, preferred against them and herself; and the lady having, by more than implication, charged the Duke of Kent with secretly, through his agents, Major Dodd, &c. encouraging the prosecution of the *investigation* in the House of Commons against his brother, the Duke of York; the former has thought proper to repel the insinuation by the following paper, and which is given under this head—(viz. "DISPUTES AMONGST GENTLEMEN ON POINTS OF HONOUR, &c.") as a prelude to some comments which will be offered in our next month's Magazine upon the subject. Mrs. Clarke's disputes having no reference to sporting, we shall confine ourselves to the abovementioned particular occurrence only.

Castle Hill Lodge, June 16.

The Duke of Kent having seen a recent publication, entitled the "Rival Princes," in which he is charged with having sanctioned and encouraged the adoption and prosecution of measures tending to the manifest injury of a brother's honour and interests, it is impossible that he should not feel anxious to counteract immediately the impression which must dwell with the country, while such foul and unmerited aspersions remain unnoticed. To remove, therefore, from his character that stigma which would justly attach to it, if it were not in his power to prove that there has not at any time existed the smallest foundation for a charge, at the very idea of which every honest man must recoil with horror and indignation—

The Duke of Kent has determined to lay before the public the following declaration, which was made and committed to paper by Captain Dodd, on the 26th day of July

July last, in the presence of the Earl of Harrington and Colonel Vesey, and which was delivered to him, to be used at his discretion. At that period the Duke was induced to require this declaration, with a view to his own satisfaction, in consequence of various reports and insinuations which had gained circulation. The communication of it was consequently confined to his own family, and to some of his friends; and he had flattered himself that it would be unnecessary to make any appeal to the public upon a matter which affected himself exclusively: nor is it without sincere concern, that he now finds himself under the necessity of entering thus publicly into a vindication of his conduct. He is, however, confident that every liberal mind will give him credit for taking a step which he feels to be due to his own character, to the honour and dignity of his family, and which marks his anxiety to stand well in the opinion of the country in general.

Queries put to Captain Dodd by His Royal Highness the Duke of Kent, and his answers thereto, 26th July, 1809:—

Q. Have I either directly or indirectly sanctioned, advised, or encouraged any attack upon the Duke of York to your knowledge?—A. Never. (Signed T. Dodd.)

Q. Have I had to your knowledge any acquaintance or communication with Colonel Wardle, or any of the persons concerned in bringing forward the investigation respecting the Duke of York's conduct which took place in Parliament last winter, either direct or indirect?—A. I feel confident that your Royal Highness has no such knowledge or acquaintance. (T. Dodd.)

Q. Have I, to your knowledge, ever had any acquaintance with, or any knowledge of, Mrs. Clarke, or any communication with her, direct or indirect, upon the subject above named, or any other?—A. I am confident your Royal Highness never had. (T. Dodd.)

Q. Have I ever expressed to you any sentiment which could induce you to believe that I approved of what was brought forward in Parliament against the Duke of York, or of any proceeding that would tend to his obloquy or disgrace? A. Never. I have heard your Royal Highness lament the business *viva voce,* and you made the same communication to me in writing.—(Signed T. Dodd).

Q. Have you ever, to your recollection, expressed yourself, either by word or in writing, either to Col. Wardle or to Mrs. Clarke, or to any other person connected with the investigation on the Duke of York's conduct, in any way that could give them reason to suppose that I approved of the measure, or would countenance those concerned in bringing it forward? A. Never. But I have, on the contrary, expressed myself, that your Royal Highness would have a different feeling. (Signed T. Dodd).

Q. What were my expressions on the subject of the pamphlet which appeared, passing censure on the conduct of the Duke of York, and others of my family, and holding up my character to praise; and what have been the sentiments which I have uniformly expressed on similar publications, whether in the newspapers or otherwise?—A. I have invariably heard your Royal Highness regret that any person should attempt to do justice

justice to your own character at the expence of that of the Duke of York, or any other member of your family. (Signed T. Dodd).

Q. During the ten years you have been my private secretary, when, in the most confidential moments, I have given vent to my wounded feelings upon professional subjects, did you ever hear me express myself inimical to the Duke of York, or that I entertained an expectation of raising myself by his downfall?—A. Never; on the contrary, I have frequently heard your Royal Highness express yourself very differently. (T. Dodd).

The above questions, written in Colonel Vesey's hand, were all dictated by me,

(Signed) EDWARD,

In the presence of Lord Harrington.

(Signed) HARRINGTON,
J. A. VESEY.

The Officers of the Royal Artillery, in which Major Dodd is a Captain, have, it is said, had a meeting, at which it was resolved, that they cannot, with propriety, associate with him any longer as an Officer or a gentleman. A representation, founded upon this resolution, has been drawn up and presented to Lord Mulgrave, who, as Master-General of the Ordnance, is Commander in Chief of the Artillery. His Lordship has not yet returned any answer. It was observed, "that there is a kind of premature officiousness in the representation stated to have been made; Mr. Dodd is as yet only impeached by Mrs. Clarke's book; and this is evidence neither upon oath, nor on examination in open Court." This is very true; but it must be recollected that Major Dodd and the Duke of Kent have this resource left—they have it in their power to adopt a proceeding in which they and Mrs. Clarke and Col. Wardle, and all other persons mentioned as having used the Duke of Kent's name, can be examined upon oath and in open Court.

NEW STAGE COACH ACT.

ABSTRACT of an Act to repeal three Acts, made in the 28th, 36th, and 46th years of his present Majesty, for limiting the number of persons to be carried on the outside of stage coaches or other carriages, and for other purposes relating thereto.

Be it enacted, that from the passing of this Act, any coach or other carriage with four or more wheels, to be employed as a public stage, for the purpose of conveying passengers for hire to and from different places in Great Britain, and drawn by four or more horses, shall be allowed to carry ten outside passengers and no more, exclusive of the coachman, but including the guard, where there is a guard with such carriage, and that one passenger and no more shall be allowed to sit upon the box with the coachman, and three of such passengers on the front of the roof, and the remaining six behind, in the manner the most safe and convenient for the said passengers; provided always that no passenger shall be allowed to sit on the luggage, or that part of the roof allotted for the same; and that all carriages above described, drawn by two or three horses, shall be allowed five outside passengers and no more, exclusive of the coachman; and that all stage coaches, called long coaches or double-bodied coaches, shall be permitted to carry eight outside passengers and no more, ex-

exclusive of the coachman, but including the guard, where there is a guard with such coach, under such fines or penalties as are by this Act imposed, in cases where more outside passengers are carried than are allowed by this Act; such penalties to be imposed upon the owner of any such carriage above described, or any person driving the same in the manner after mentioned; provided always, that no child in lap, or under seven years of age, shall be included in such number, unless there shall be more than one; and if more than one, that two of such children shall be accounted to one grown person, and so on in the same proportion; and that no person paying as an outside passenger shall be permitted to sit or remain as an inside passenger unless with the consent of one of the inside passengers at the least, and next to whom such outside passenger shall be placed; and provided also, that where such coach or other carriage is of a construction peculiarly wide or commodious, and duly licensed for that purpose, four outside passengers instead of three shall be allowed to sit on the front of such coach or other carriage: provided always, that the number of such outside passengers shall not exceed ten in all.

The height of stage coaches to be eight feet nine inches from the ground.

No luggage to be carried on the roofs of carriages exceeding two feet in height, if drawn by four horses; or eighteen inches when drawn by two or three—5l. penalty. No passenger to sit on luggage, under a penalty of 50s.

Number of passengers permitted to be carried, to be specified in the licence:—And to be painted on the carriage.

Penalty 10l. on carrying more outside passengers than the licence permits. Double penalty if the driver be owner. The owner of stage coaches to be liable to penalties in case drivers cannot be found.

Summons left with book-keeper, &c. to be good service.

Penalty on drivers of stage coaches leaving their horses or neglecting their duty, not less than 10s. nor more than 5l. Not to extend to hackney coaches being drawn by two horses only.

Drivers incapable of driving from intoxication or otherwise, or retarding his Majesty's mails, or who shall not account to their employers for passengers and parcels taken by them, shall be committed.

MR. WESTON's MATCH.

THE accounts in the newspapers not being minutely correct, we give the following, as the precise statement of this extraordinary undertaking.

On Saturday evening, the 2d of June, the wonderful match, for a bet of 150gs. to 100gs. made by Mr. Weston, of London Wall, Moorfields, that he would drive his horse Scorpion, in harness, 100 miles in 12 successive hours, was performed as follows:—

	miles.	hours.	min.
Started at 6 o'clock from Newmarket, through Cambridge to Godmanchester	27½	3	0
Baited		0	40
Returned to Cambridge and back to Godmanchester	29	2	59
Baited		0	20
Back to Cambridge and returned to Godmanchester	29	2	55½
Greased the wheels		0	27
Back to Cambridge	14½	1	10
	100	11	31½
Won by			28½
		12	0

CAPTAIN FOSKETT, HIS PAMPHLET, &c.

IN our Magazine for April, page 36, we inserted Captain Foskett's petition to the House of Commons. What occurred on its being first presented is not now material, as that which has taken place since will fully explain all that went before it. Although Captain Foskett's pamphlet was published previous to the last discussion of his petition in the House of Commons, its contents will come as well after th[illegible] cussion as before it.

HOUSE OF COMMONS, THURSDAY, JUNE 7.

Mr. Lyttleton stated himself to be willing to do any thing short of waving his motion altogether, on account of the circumstances connected with it, affecting that illustrious personage who had been so barbarously treated. But the lateness of the Session, added to the fact of his having received a note from his Royal Highness, expressing a wish that the motion might be made as soon as possible, would, he trusted, justify him in bringing it forward at that moment. The army, he contended, had its rights. Those rights were to them as valuable as the civil rights claimed by that House. It was the best policy to prevent discontents in the army, as the consequences of such feelings excited in a body so formidable were much to be dreaded. He went at length into the merits of Captain Foskett, replied to the insinuations thrown out against him, and enumerated the grievances complained of by Captain Foskett, the substance of which has already appeared before the public. He then read several letters on the subject of the duel spoken of, which he thought went to exculpate him from any charges made against his character, as the handsome testimony borne by Wallace, the antagonist of the officer to whom Captain Foskett was second, established the propriety of his conduct in the most satisfactory manner. Why so much was said by the Honourable General on the enormity of pistols with hair triggers being used on that occasion, he did not know, as he should have thought the honourable officer must know, that all duelling pistols had hair triggers. When, however, it was proved that the pistols used had not hair triggers, what became of that charge? As to the number of shots fired, he thought when gentlemen went out to fight, and not merely to produce a certain explosion, no blame could on that account attach itself to the seconds. On a view of all the circumstances, he thought Captain Foskett had conducted himself with becoming moderation, like a gentleman, and like a man of honour. He thought it most unjust and subversive of all equity, that charges should be made against a man, when a trial was denied. Nothing could justify thus holding an indefinite charge over a man's head. The Honourable Gentleman produced a variety of documents in favour of Captain Foskett, praising his conduct as a gentleman and an officer. Of all the officers under whom Captain Foskett had served he could say, there was but one who failed to bear testimony to his meritorious conduct as an officer. Testimonials of such a nature as those he had produced must sink deep into the minds of all honourable men, and refute the calumnies which have been so unwar-

unwarrantably circulated to his prejudice. The articles of war he could not but consider as the law of the Army. It was not right that an officer should be denied access to the Royal ear. After some further observations on the circumstances of the case, he defended the propriety of Captain Foskett's application to the House. It had been said, if they attended to his application their table would be covered by appeals from the army. This he denied; the effect of the motion he should have the honour to make would be directly the reverse, as it would shew the army they had a tribunal of their own competent to redress such grievances. If the motion should be rejected, he knew not where the officers of the army were to make their complaints or seek for justice. He concluded by moving certain resolutions, declaratory of the First Article of War (the 12th section), and imputing to Sir D. Dundas an omission of an essential part of his duty as a Commander in Chief, in refusing to enforce that article. He also moved an Address to his Majesty on the subject.

General Crauford thought that the Honourable Mover seemed to wish to wrest the command of the army from the Crown, an attempt totally contrary to the law of the land. If the allegations preferred against the Duke of Cumberland and the Commander in Chief were proved, they must be unfit for their situations, and guilty of the most heinous crimes. He would not let another month elapse without coming forward to confute the charges so injurious to the characters of the accused, which he hoped to accomplish by the means of the documents in his possession. The persons accused acknowledge the facts, but they deny the inferences and deductions from them. He could adduce the statements of Colonel Grant on the subject of the duel, as well as that of Mr. Jones, the Adjutant of the regiment, who would take his oath that Lieutenant Wallace related to him the circumstances precisely as he stated. The parties fired five shots, and used hair triggers, and that at the very moment the pistol unexpectedly went off, Lieutenant Wallace was actually setting the hair trigger. He was sorry that the Honourable Gentleman should say, that persons going out to fight should not return without being wounded. For his part he had seen a great deal of blood and wounds, yet he was not so bloody-minded. He wished that no duel might ever be attended with blood. In this affair the conduct of Captain Foskett was such, that in his opinion no Court Martial could justly act otherwise than cashier him. The Commanding Officer of the regiment having heard of the intended duel, orders the parties to be put under arrest; the Adjutant on his way to enforce this order meets Captain Foskett, and to an inquiry of where the parties were to be found, he answers that he does not know—thus intentionally letting slip the best opportunity of preventing the duel. In 1806, the Duke of Cumberland considered Captain Foskett as a very negligent troop-officer, and not sufficient to command a squadron, from his inability in the field. It had been said that the eldest Captain had a right to be promoted; he denied the existence of such a right, unless accompanied by merit. In the case of promotion, the Commander of the regiment is the only responsible person; it is

his

his duty to give to the Commander in Chief a faithful and conscious recommendation. The conduct of the Duke of Cumberland was remarkable for its moderation and forbearance. The gallant General then entered into a lengthened recapitulation of his former statements on this subject, and observed that every good officer would repine at the relaxation of discipline, and at the encouragement of the litigious and the negligent. He felt a conscientious conviction that justice was on the side of the accused. He concluded by moving the previous question, and gave his negative to the rest.

Mr. Whitbread, feeling that Captain Foskett was a victim to injustice, not only before the House, but to the statements of the gallant officer who had just sat down, begged to say a few words upon the question. When the gallant General entered into the question with a view to the defence of the Duke of Cumberland, he appeared to go into the charges before he was in possession of the facts. The Honourable General had said that he should abstain from recrimination, but yet indulged in a strong course of crimination against Captain Foskett, whom he represented as the public accuser of the Duke of Cumberland. Captain Foskett, however, so far from being in this instance the accuser of the Duke of Cumberland, had applied in the first instance through the regular channels for redress. He was sorry the honourable General, before he made these charges against the gallant officer, had not made himself acquainted with the circumstances of the case, because when he should peruse the documents he would be convinced of his error. For himself, he had the originals of many of the documents which had been produced, and on them he founded his opinion. Sir Robert Wilson wrote respecting the merits of Captain Foskett in the highest terms. Colonels Lamb and Asken appeared in their letters to bear equal testimony to the character and military merit of Captain Foskett. As Sir Robert Wilson had quitted the regiment before the Duke of Cumberland was appointed to the command, he concluded that if the honourable General had found any trace of irregularity, or want of discipline, in that previous period, he would have brought it before Parliament. He contended that the conduct of Captain Foskett was unexceptionable, and that the testimony of Colonel Asken was sufficient to establish that fact. But it had been said, that the article of war was imperative on the Commander in Chief; still his honourable friend required only that the Commander in Chief should do his duty. The Commander in Chief might undoubtedly say, that the application was frivolous. But if gentlemen would take the trouble of reading the Act, they would find that the Commander in Chief had no option. The petition did not profess to take out of the hands of the King the power of regulating such matters, but to have the avenue to the throne open to all his Majesty's subjects. His honourable friend had dwelt at length, and perhaps longer than was necessary, on the circumstances of the duel, and quoted the communications of Mr. Wallace, Mr. Nixon, and Mr. Ross, all of which were in favour of Captain Foskett, to shew that he had been blame-

less in that transaction. But whatever might have been the circumstances or the issue of the duel, they could have been no justification of the conduct of the Duke of Cumberland. He should be glad to know when the Adjutant asked Captain Foskett, the private friend of Mr. Ross, if he knew of the intended duel, whether any private gentleman, applied to under similar circumstances, would have thought himself justified in divulging what had been communicated to him in confidence? But as no proceeding had been taken at the time, either in a military view, or by the course of law, against Captain Foskett, or by his Colonel (Seymour), it was clear no proceeding ought to be sanctioned not consonant to law. He contended that no hair triggers had been used. The honourable Gentleman then went into a statement, to shew that Captain Foskett's troop was fit for service when his regiment had been ordered abroad. In order to prove, too, that this was a case fit for the interference of the House, he referred to the cases of Colonel Cochrane Johnstone, and of Lord Burghurst, in the last session. The present was not altogether a military question: it did not claim redress of a wrong as to the army, but as to the Commander in Chief; and if that House should not grant the redress desired, it would by its decision that night sanction a principle which would be extremely injurious to the public service.

General Crauford explained.

Mr. Manning read a letter, illustrative of the exemplary conduct of Captain Foskett.

Mr. Manners Sutton expressed his regret that the honourable mover had commented on papers which were refused by the House. He conceived that a most unmerited attack had been made on the motives and character of the Duke of Cumberland. He opposed the motion.

General Loftus thought that the allegations against the Duke of Cumberland were most unjust or ill-founded.

The question was then put, and negatived without a division.

THE PAMPHLET.

The testimonials alluded to in the speeches of Mr. Lyttleton and Mr. Whitbread, are most of them contained in this pamphlet—which pamphlet is entitled, "Facts and Observations explanatory of the Conduct of Captain Foskett, of the 15th light dragoons, as one of the seconds in a duel, in the year 1806; to which allusion has been recently made by General Crauford, in the House of Commons. Together with testimonials, respecting the general conduct of Captain Foskett, as an officer, from the Field Officers of the 15th light dragoons, under whom he served."

The pamphlet begins with saying, "As the circumstances of a duel, in which Captain Foskett was concerned as a second, have been very much misrepresented in the House of Commons, by an officer of no less rank and authority than General Crauford, and as nothing can be more galling to the feelings, or more injurious to the character, of an officer, than such misrepresentations, Captain Foskett, though most unwilling to revive the history of a transaction of that nature, once honourably and satisfactorily terminated, thinks it due to himself, and to his

his cause, to publish the following statement, which he trusts will set the affair alluded to in its proper point of view."

The pamphlet, after adverting to some other of the circumstances of Captain Foskett's case, proceeds with his testimonials; previous to which, however, he gives the four following letters, which occasioned the duel alluded to:—and as these letters relate to the sale of a pair of horses, and come within our purview as a sporting subject, we shall the more readily give them insertion:—

"Sir,—The letter I received from you last night astonished me much; the horses I sold you I warranted sound. I told you before you purchased the pair, that one of them was very restless when you were putting him in harness. As to warranting him free from vice or blemish, I most positively deny, though I am as persuaded the horse was neither vicious nor blemished; but what most astonishes me is, that you should have kept the horses six or seven weeks, and on my application to you for the money, you tell me you are dissatisfied with one of them. If you recollect, after you had driven the horses two or three times, you told me you would not take any money for your bargain, and you have repeatedly rode them as saddle horses since. I am sorry we cannot settle it as gentlemen in general do; therefore, by the advice of my friends, I have given it into the hands of my solicitor, who will take good care to see justice done me.—I am, &c.

(Signed) "F. Ross."

"*No. 29, George Street, Portman Square, 6th Dec.* 1806.

"Sir,—I received your's of the 4th instant; you are at Weymouth, I presume, from the daring impertinence of your letter. I am in London, otherwise you know full well, I am not the man such language can be addressed to with impunity; therefore, you should have considered well before you took the advice of your friends;—they, as well as you, may give their tongues liberty, while I am at a distance; but its to be hoped, we shall soon meet, when I shall take the liberty, without any ceremony, to have recourse to that sort of discipline which your language fully merits. As to your solicitor, the sooner, by his means, you put your threats in execution, so much the better.—I am, Sir,

"William Wallace,
Lieut. 15th Light Dragoons.

"To Cornet Ross,
15th King's Light Dragoons."

"*Weymouth, 8th Dec.* 1806.

"Sir,—I have received your letter of the 6th instant, and in answer have merely to request you will give me the satisfaction, rendered necessary by the insulting and unauthorised expressions you have thought fit to use.

"Situated as I am, it is impossible for me to obtain leave of absence but for a very limited period. I intend, therefore, accompanied by my friend, to be at the Star Inn, at Andover, next Monday evening, when my friend, and your's, will fix the time and place. If any unavoidable occurrence should prevent our arrival at Andover, on the above evening, we shall await your arrival at the first mile stone, on the Salisbury side of Andover—the next morning at seven

seven o'clock.—I am, Sir, your obedient servant,

"FREDERICK ROSS,
Cornet 15th Light Dragoons.

"To Lieutenant Wallace,
15th Light Dragoons."

"*London, No. 29, George Street, Portman Square, 11th Dec.* 1806.

"SIR,—In answer to your's, attended by my friend, I shall be at Andover on Sunday morning, and am happy your friends have advised you to settle it as gentlemen generally do.—I am, Sir, your obedient servant,

"WILLIAM WALLACE,
Lieutenant 15th King's Light Dragoons.

"To Cornet Ross,
15th King's Light Dragoons."

These letters are followed by others from the two gentlemen who fought the duel, and from the seconds, who all admit of the propriety of Captain Foskett's conduct in that affair. Some further exculpatory matter follows, and then the testimonials of several field officers of the 15th light dragoons, which testimonials appear to be obtained from them by the following letter from Captain Foskett.

"*October and November*, 1808.

"SIR,—It appearing essential to my present and future interest in the service, to be possessed of the opinion of those officers, under whose immediate eye and observation I have had the honour to serve, I beg leave to request you will do me the favour to state candidly, and fairly, your sentiments, with regard to the manner in which I executed the duties of my situation, whilst serving under your command. And I do further beg leave to request you will inform me, if my conduct and qualifications, as an officer, were such as would have induced you to recommend me (supposing that I had been senior of the rank I held) to promotion in the regiment, had an opportunity occurred, whilst I had the honour of being under your command.——I have the honour to be, Sir, your most obedient, humble servant,

(Signed) "H. FOSKETT,
Captain 15th Light Dragoons.

"To Lieutenant Colonel,
&c. &c. &c."

Here follow about half a dozen letters from field officers, under whose command Captain Foskett has served, mostly partaking in sentiment with the following.

"*Portsmouth, 29th October*, 1808.

"SIR,—I have this moment received your's, and in answer to your request have to state, that during the nine years I have served with you in the 15th dragoons, I have ever considered you a most zealous, attentive officer; and, during the short period I had the honour to command the 15th dragoons, impartial justice would certainly have induced me to recommend you for promotion, had an opportunity offered.—I have the honour to be, Sir, your most obedient, humble servant,

"F. FORESTER,
Major King's Light Dragoons.

"To Captain Foskett,
15th Light Dragoons."

INTERESTING ACCOUNT OF A SUTTEE.

BEING informed, that a Suttee was about to take place in the vicinity of my house (in the neighbourhood of Calcutta) I repaired to

to the spot, in company with a friend, instigated by a strong and natural curiosity, to observe narrowly the deportment of a human being, about to take a voluntary and public leave of existence, and believing from what we had read of similar cases, that our feelings would not be shocked by any open exhibition of the actual pains of dissolution. I do not recollect to have seen any account of a Suttee, which did not, upon the whole, tell rather favourably for the humanity of those whom an imperious ordinance of religion calls upon, to preside or officiate at such ceremonials. I think it therefore a duty which I owe to the cause of truth, to record at least one instance on the other side of the question. With this view, I beg leave to address myself to you, in the hope you will give the narration a place in your valuable newspaper, when you have nothing more interesting or novel to insert.—*(The newspaper here alluded to was printed at, and lately received, from Calcutta).*

"The Suttee in question took place at a spot by the river side, about a quarter of a mile below Barnagore, at eleven in the morning. We arrived about half an hour before that time, and found the widow, bathing in the river, surrounded by a troop of friends, chiefly men. It was then low water, and the deep mud left by the tide prevented our approaching sufficiently near to observe with accuracy the ceremonies that were performing. Our attention was attracted to the pile, which was placed about high water mark. It was not altogether more than $4\frac{1}{2}$ or 5 feet long, to the best of our observation, and consisted merely of some long billets of chopped soon-dry wood, fresh and green, from the bazar, retained in their places by four stakes driven into the ground at the angles. The whole was exceeding little, if at all, longer, or broader, than one of the common cots used by the natives. The deceased was supported in a sitting posture by two men, close to the pile, and some more billets of wood, with four or five bundles of dry bushwood and reeds, lay ready for use. The whole of the ceremonies observed on the occasion, were such as are usually gone through, and as have been described so often in books. The widow was dressed in a robe or sheet of bright red silk, and had her hair hanging loose and dishevelled, and stuck through with many wooden combs; her forehead was painted with yellow ochre, or orpiment, and she had no other dress or ornament whatever. From the by-standers we learned, that her husband was a common washerman, and that it was not expected by any one that she would have resolved to burn herself, especially as she had a child three years old, and as her relations had offered to maintain them both, if she would consent to live. I shall not take up your time by detailing the many ceremonies that were performed. The body of the husband was placed on its right side, and in due time she ascended and lay down by its side, facing it, and literally locked in its arms. So short was the pile, that the bye-standers were obliged to bend the legs of both very much, to enable the pile to contain them. During all this "dreadful note of preparation," from first to last, the widow preserved the utmost, the most *entire* fortitude and composure, or rather apathy,—and was

was unmoved, even at parting with her child. In her processions round the pile, she was supported and hurried round through the crowd, by many men, who held her by the arms and shoulders, and made the populace give way. From this we at first concluded her to be intoxicated, but were afterwards convinced of our mistake, by seeing the steadiness of nerve, and perfect composure, with which she sprinkled the corpse of her husband, and mounted on the funeral pile, entirely unassisted and alone. We stood within six or seven feet of the pile, and could not be mistaken. The remaining billets of wood were now laid on the bodies, with a scanty handful of dry reeds here and there.

But the point to which I wish most especially to draw the attention of your readers is, that thick strong ropes, thoroughly soaked in water, were previously tied round the bodies of the living and the dead, in many places, to preclude the possibility of escape, and in seeming anticipation of the dreadful scene that followed. One Bramin only was present at the ceremony, and as soon as all was prepared, he offered to the widow's child (in the arms of another) a lighted brand. The child drew back in affright, when they seized its hand by force, and applied the fire to the head, and afterwards to the foot of the pile. The shouting and noise of the crowd had been incessant from the beginning, but at this instant it was incredibly loud.

Four strong green bamboos were now laid across the whole of the pile, which were strongly held by eight men, so as to keep down all attempts of the miserable creature within to rise; a precaution not useless, if it be allowed to conjecture from what we observed at the foot of the pile, near to which we stood. A quantity of ghee, not, I should imagine, a pint in all, was scattered on the pile; the scantiness of this and the brush wood, and the greenness of the billets, caused the pile to burn very slow, and rendered it necessary to apply fresh fire at one time. I scarcely know how to paint in colours that shall not disgust and shock your readers, the horrible close of the scene. Suffice it to say, that soon after the fire took effect, the wretched woman within, in her torment, stretched forth her leg, which now protruded from the knee, beyond the scanty pile; and by the quickness with which she attempted to withdraw it, on its touching a burning brand, it was evident that she was still too sensible to the tortures she must then have been enduring. Owing to the brush-wood being scattered only at the extremities of the pile, the fire there was fiercest. In a minute or two more, the scorched and mutilated limb was again thrust out, and slowly consumed before our outraged eyes, while the tremulous and convulsive motion which it exhibited to the last (for many minutes), too plainly shewed that sensation and life yet existed in the miserable wretch within. A kind of incredulous horror at what was passing, had till now rivetted us to the spot; but the scene became too shocking, and we quickly retired. I ought to observe that the utmost indifference, without any symptom of the remotest compassion, prevailed among the whole of the spectators, not excepting the mother and sister of the widow, who were pointed out to us among the crowd."

A SHORT

A SHORT TREATISE ON THE PASSIONS,

Illustrative of the Human Mind.

[In two volumes; by a Lady.—London, Crosby and Co. 1810. Price 12s. boards.]

THE influence of the passions on the human mind has furnished ample exercise for the philosopher and the divine: nor did we expect much of novelty or of information when we first opened the present work. We have, however, been agreeably disappointed; and now proceed to analyse its contents for the benefit of our readers.

This "Treatise on the Passions" is divided into four parts, exclusive of some good preliminary remarks on the investigation of character.

Part 1. 'contains general introductory matter, such as leads us to place in order the principles which contribute to form the character of man.' Under this division are considered, the general character of mankind,—age and youth,—national character of the English,—the difference of character between man and woman,—the civil relation of women to government,—influence of rank on character,—and education.

Part 2. 'Treats of such passions as shut up and repel,' and of which a physical analysis is attempted. These are, intellect, virtue and vice, dissimulation, reserve, pride, arrogance, superciliousness, contempt, haughtiness, indignation, sullenness, moroseness, melancholy, rage, gravity, hypocrisy, meanness, cruelty, ferocity, resentment, obstinacy, malignancy, irascibility, selfishness, apathy, courage, temerity, dignity, insensibility, constraint, temperance, humility, disingenuity, formality, avarice, modesty, fear.'

Part 3. is devoted to the consideration of such passions, 'as tend to open the mind, and lead to communication, whether virtuous or not.' In this class we find sensibility, humanity, patriotism, friendship, love, good temper, generosity, charity, sympathy, patience, sorrow, vivacity, politeness, vanity, honour, satire, simulation, indiscretion, caprice, brutality, economy, despair, liberty, eccentricity, parental affection, filial piety, injustice, envy, hatred, tyranny, ambition, treachery, candour, enthusiasm, audacity, sensuality.

Part 4. 'Is a summary or recapitulation of the whole, and comprises strictures on grace, taste, and religion.'

From the preceding copious analysis, our readers may form some idea of the multifarious subjects discussed in these elegant little volumes. It will not be expected, that each passion should be treated at great length; and, though a few verbal inaccuracies occur, (which the fair authoress will doubtless correct in a future impression,) yet sufficient is said to develope the leading features of the various passions that agitate the human breast. We select a few specimens, which may perhaps gratify the readers of the *Sporting Magazine*.

And first, on the *English Character.*——"They (the English) have, however, the just credit of being more liberal in donations, charities, subscriptions, &c. than any other nation upon earth. Send but a memorial round, in a public manner, and it seldom fails of being presently filled. An enthusiastic fondness prevails for public sub-

subscriptions. It would be no bad speculation to go to some watering-place; and, after figuring away as a brilliant object, pretend to fall into some sudden distress. There is no doubt that every purse in the place would open with magic eagerness; one would electrify another.

"It is a fact, that a young lady, who lived genteelly on a small fortune, which her parents had bequeathed her, went to a watering-place, where, after some time, she had the misfortune to be thrown from a gig, by which she was so much hurt as to be obliged to have medical assistance, and to prolong her stay. It became known that the expenses she unavoidably incurred were distressing to her; in consequence of which, the good-natured English ladies made a collection for her, by which she was in the end a gainer. Another single female, who lived upon a small fortune, after passing some time at one of those places, received a letter, one morning, to acquaint her, that the banker in whose hands her fortune was deposited had stopped payment; the case being made known, every one actually vied who should present most notes to her.

"The truth is, the English have two characters, one at home and one abroad. Were an object of the greatest distress solitarily to relate his urgent wants, and leave them to the unwitnessed workings of feeling, he would probably meet with many cold hesitations and rigid examinations; and at last, if his story should appear indisputable, a prudent moderation would guide the donation of his benefactor. The English are not devoid of charity; very far from it: but the same people will give liberally in public, and prudently in private.

"A superior degree of sensibility is ascribed to Englishmen. A piteous case seldom wants the warmest testifications of concern; particularly at the first, while it is new. At another moment you may behold the same people maddened with all the bestial influence of lawless rage. But wherever you meet with one extreme, you may expect to find its opposite. No person who thoroughly understands the character of the English would be surprised to hear of their adoring a popular favourite, then destroying his manes. But this inconstancy, it must be confessed, they possess but in common with the vulgar of all nations: those are the natural transitions of uneducated minds.

"Taking them altogether, they are, however, far from being low in the scale of comparison with the rest of the world. Their bravery, which is a very splendid public virtue, is equal to any thing evinced by mankind. They are rather slow of understanding, which renders them liable to be made dupes; but it does not prevent them from being excellent judges of every case which is deliberately laid before them. They have a considerable tincture of the gross and brutal in their temper, but they are not destitute of tenderness and individual refinement."

The whole chapter on *the influence of Rank on Character*, merits an attentive perusal.

"*Courage.*—Man, the noblest animal of the creation, prides himself upon this attribute. 'With his face erect he surveys the Heavens, whilst his awful voice imitates its thunders.' And he possesses

sessess at once so much majesty and wisdom, that while all other animals tremble and fly from his presence, woman delights to obey him.

"Courage has been sagaciously enough divided into two species, active and passive. Active courage comprehends whatever is enterprising, achieving, daring. Passive courage is what resists, sustains, endures. Many deep philosophers think this the nobler passion, ascribing the other to the mere force of blood and spirits; as you will find frequent instances of heroes defying danger and death in the field, while animated by the presence of their companions, and perhaps the hopes of victory, who, when they have been taken prisoner, and offered torture in a dark silent room, where no friendly face presented itself, have found their spirits forsake them, and have begged for life, even at the expense of honour.

"Active courage belongs to the sanguine and choleric. It is not always exempt from boasting, nor is it true that a man who boasts is always a coward. Yet there is a certain animation and earnestness in the manner of a man who possesses courage which the coward wants. Boasting affects more the manner of a man of courage, and more the matter of a coward. A coward exaggerates facts; a man of courage sometimes colours warmly the mode of them.

"Those who possess much active courage seldom possess much passive courage, and *vice versa.*

"Active courage is sensual, detrimental to the understanding, presents false objects, and magnifies real ones. It is not unfavourable to the temper, promoting jollity, freedom, ease, and generosity.

"Passive courage boasts not. It is perfectly latent; but when called forth, is more steady than active courage. It belongs to the melancholic and phlegmatic. It is abstemious, and favourable both to the intellects and temper.

"These ideas on courage are not our own; but appearing to us strictly correct, we have adopted them, as it would be ridiculous to depart from truth in an investigation which professes that to be its object, and not the affectation of novelty. We are happy whenever we perceive mankind to make so near an approach to truth; we only regret that they have not made an equal progress at every point."

On Love—the fair authoress very naturally expatiates; her remarks on this master passion are extended to considerable length; and so pertinently are they connected, that we should mar the whole by giving any partial extract. We recommend this chapter peculiarly to the notice of our juvenile readers, on account of the salutary cautions it contains, which are happily interspersed with sprightly remarks.

The chapter devoted to *Religion* presents some valuable hints; which, however, are capable of improvement, and may, perhaps, be advantageously submitted to the friendly revision of some *clerical friend* of the authoress, previously to another impression.

We could have given numerous other extracts, would the limits necessarily assigned to the present article admit. The authoress (we think) has rendered a valuable service to society at large, and we with pleasure recommend her volumes to the attention of the public, as conveying much important instructions in a very agreeable manner.

A MODEST DEFENCE OF GAMING.

(Concluded from page 68.)

I Now come to those objections wherein the gamester is taxed as an enemy to the general good of the community; and first, those old-fashioned politicians (there are not many of them left) who think righteousness exalteth a nation, are in pain for the general defection to vice, which gaming occasions; and they are grievously afraid that the horrid oaths and blasphemies which are daily vented, and numberless frauds which are incessantly practised, will soon complete the measure of our iniquities.

As to oaths, the objection, I must needs say, is frivolous enough; for all persons are agreed gentlemen must swear somewhere; what is the matter whether it be done in the course of a rubber, or an intrigue, in a gaming-house or a lady's chamber? But for my own part, since perjuries have been so freely tolerated of late, I thought (and if I am wrong I beg pardon for a very innocent mistake) I took it for granted that oaths had been allowed as tending to enliven conversation, and to revive eloquence. The supposition of blasphemy must proceed from a want of candour, which, I hope, few will imitate: such words should not be rashly applied to large assemblies, where it is odds but far the greater part are entirely innocent; for how can men blaspheme a power which they do not acknowledge to exist? As to frauds, they could never be suspected, if the principles on which gentlemen regulate their conduct were once known, which I shall therefore take leave to disclose as briefly as possible.

It is agreed by philosophers, there is a strict analogy between the natural and moral systems: now as the mass of nature, according to Aristotle, is compounded out of four principal ingredients, to which he afterwards added a *quinta essentia*, of more refined nature, and *occult qualities*, called *honour*, for the use of the nobility and gentry—but *no others*; for thus the matter is ordered; the mob content themselves with the elements, leaving to the quality the sole possession of the *quintessence*. As to defining it, I shall not set about it at present, nor in all likelihood for the time to come; it being a thing much easier to be felt than understood.—And here, without the least intention to offend the clergy, (for whose function I have a sincere reverence,) I must have permission to hint one thing—It would be *well taken*, if they would drop this subject entirely in all their discourses and writings.—There is a secret impediment in a gown and band which disqualifies the owner from saying any thing to the purpose on this head; for as a noble lord well observed, *honour* should never be mentioned in the pulpit, nor *religion* out of it. Not that I thing *justice* should altogether be discarded; and I am of opinion that *temperance*, with some few improvements, might be made useful. But *honour*

> By Heaven's, it were an easy leap
> To pluck bright *honour* from the pale-faced moon,
> Or dive into the bottom of the deep,
> And pluck up drowned *honour* by the locks.
>
> SHAKESPEARE.

I hope no man alive will say any thing against *honour* in my hearing.

It

It is likewise alleged, that *gaming* has a tendency to destroy all distinctions of rank and quality; for that many persons of the most sordid and obscure families are hereby introduced to familiarities with the great, by which the dignity of the peerage is debased. With submission I am of a different opinion; I think the dignity of the peerage is most effectually debased by pride, and exalted by condescension. What can be more amiable than to see persons of the highest rank vying with each other to caress an unfortunate man, that is making a desperate push with the last handful of guineas he has in the world? proposing bets with so much *affability*, taking his money in such a *friendly* manner, and *administering the last offices* to him with such a fund of *humanity?* I see no justice in excluding every stranger from a *gaming-table* that cannot produce a pedigree traced from the *conquest*; if he has the dress and purse of a gentleman, that is sufficient: as for a *full* and *true* account of *birth, parentage,* and *education*—let that be reserved for another time and place. To say the truth, these questions about family are more for curiosity than use; and do but serve to *delay business*, for when a dozen carrion birds are met together in a field and get scent of a carcase, I never could observe them debating whether it were an horse or an ass, they were about to devour. All they do is to vote themselves hungry, and fall on without farther ceremony.

Lastly, it is urged, the example is pernicious: vices of quality naturally descend to a lower sphere, and infect those, who can easily learn the corruptions without having the resources of wealth, from whence violence and rapine are practised as the only means to feed riot and extravagance. I am afraid this reasoning will prove rather more than it intended; for at this rate gentlemen must restrain their own pleasures, for the sake of other peoples' morals. Men of wit and spirits *about town* must give up genius, fire, vivacity, and all the refinements of life, in order to save the souls of half a dozen beggars. A very hopeful scheme truly! But I doubt not the *gamesters* will hardly be at leisure to consult the scruples of others, for this manifest reason, because they have hitherto had none of their own, neither are their consciences of that puling kind, that will submit to be fed with this *milk of babes*—they have digestion for stronger food.

Having thus far cleared the *gamester* from those imputations that might affect him in his private and public capacity, I shall now proceed to mention some advantages that result from this practice.

One great advantage of *gaming* is, that it teaches us to bear up against the charms of wealth, and terrors of poverty. For my own part it hath seriously affected me to reflect, that money, the grand source and end of all human counsels, the corrupter of patriots and divider of princes, for which beauties languish, heroes fight, and sages write upon virtue, should come to be utterly disregarded, as a thing of no esteem, amidst a general dissolution of morals, and in the dregs of time. There have been philosophers who have despised riches—when they could not get at them; and some who have advised the world to despise them—while they have been hoarding them-

themselves: but no age, except the present, hath produced spirits aspiring to *this* high perfection; that have courted poverty in the midst of plenty; renounced ease when they were born to luxury, and harassed their constitution to effect designs, which the rest of mankind, wholly blinded by prejudice, are sure to consider as infamous and detestable.

But to return to my argument, (which I do with the same pleasure that a gentleman who has *cut out* returns to a *rubber)* another advantage of gaming is, that it clears the mind of many uneasy passions. Tully has left us a treatise against perturbations; but in my opinion Mr. Hoyle has published a much better for use and practice; for whoever has studied the works of this philosopher, enjoys a state of the most blessed insensibility. He is in perfect charity with all mankind, forgiving injuries, and forgetting benefits. He has a wife and children, relations and friends, but he has neither fears for their welfare, nor tears for their distress. He bears their afflictions with the most Christian patience, and kisses the rod with which Providence hath chastised them: conforming precisely to that divine and stoical precept of Epictetus.—"If thy friend be in extremity, thou mayest say thou hast pity on him, but be sure not to feel any, because that is an infirmity beneath the dignity of man."

A third advantage resulting from this practice is, the influence it hath upon military establishment. It must give pleasure to every lover of his country, to observe us exactly tracing the plan which Horace prescribes in that solemn ode addressed to his friends, for the restoring warlike discipline among the Roman youth, speaking of whom, he says;

Let the brave youths, whose souls for glory pant,
Sustain the manly discipline of want;
They ne'er shall shrink from death's impending blow,
Nor breathe from slaughter, till they've quell'd the foe.

Horace appears to have been very fond of this doctrine; for in another part of his works, he tells a story of a soldier in Lucullus's army, who had been *robbed of all his money by thieves.* The fellow was in a violent rage, *swore like a trooper;* and fully determined neither to take nor give quarter, runs to the forlorn-hope, storms a castle, and, shielded by his despair, came off without loss of life or limb; but when he had reimbursed himself by plunder, his courage by no means seconded the motion his general made to him soon after, to go upon such another expedition, for he very coolly asked him,

"D'ye think me, noble general, such a sot?
"Let him take castles who has ne'er a groat."

From whence we may collect, that men *in easy circumstances* are not the fittest to go upon desperate adventures; and that those who have charged through a troop of creditors, are most likely to have the same success when they face an enemy.

What, then, shall we say to a *British* army, in which there are perhaps *half a dozen* officers all *gaming-proof,* with empty purses, and starved hopes, who fear neither *God* nor *Devil,* have felt the worst that *man* can do, and have laid in a fund of desperation to answer the exigencies of a whole campaign, though it were commanded by Hannibal himself?

And

And shall we renounce such advantages as these, in which the interests of Europe are concerned, to gratify popular prejudice and clamour? I take *gaming*, considered in this light, to be the best instrument for enabling us to fulfil our treaties on the continent.

Another great advantage of *gaming* is, that, like charity, it is the constant reconciler of differences, and the chief uniter of mankind. Here company meet without the least regard to age, condition or party. Fortune's veterans mix with young adventurers, and teach them the path to honour. The *courier* and the *patriot* cut in together, equally complain of *grievances*, and *want supplies*. No man's principles are questioned, if his credit be uncontested; for *money* is indifferent to parties, and freely lists itself on either side.

To conclude, let me offer one argument, which, perhaps, will weigh more with our opponents than either reason or justice, and that is, the impossibility of succeeding in their attempt. This is no time to expect success in projects that have been so often baffled. What hath the wisdom of the *nation* effected by its laws, or the fury of the *rabble* by its clamours? *The rulers have conspired together, and the people imagine a vain thing.* Vain indeed! They had better therefore renounce their opposition while they can do it, with a good grace, and say at once with the great *Durandarte,*

Patience! and shuffle the cards.

PUGILISM AT MOULSEY HURST.

DUTCH SAM AND MEDLEY.

THE great match for 200 guineas, betwixt Dutch Sam and Medley, was fought Thursday, the 31st of May, on Moulsey Hurst, and the concourse of people exceeded any thing ever witnessed, except at the fight betwixt Gully and Gregson. The spectators may be computed at ten thousand, consisting of every kind, from the Peer to the coster-monger. Sam stript in the ring to fight his twelfth battle, after having previously vanquished eleven professors, among whom were Young Belcher, Caleb Baldwin, and others of ten and eleven stone celebrity.

Medley has been about to fight Sam, who may be truly termed a phenomenon, for these two years past, and he was known to be excellent at setting-to with gloves, and fame has recorded him amongst the very first who could resent a personal insult, or fight for love any one who would oppose him; and so much did Sam regard Medley's fame, that he once paid him forfeit, when not in the condition he could have wished.—Medley is a master tradesman of respectability, and he fought Dutch Sam for his own stake money. At one o'clock the champions entered the ring, and Sam had for his seconds Harry Lee and Puss, whilst Joe Ward and Cribb officiated for Medley. When we speak of betting, it is only necessary to state, that 5 to 2 was begging in the ring, and some twos to one were taken by Medley's friends, but he had never before fought, and he was 20lbs. heavier than Sam, and a muscular man. The crowd was so immense that a ring could not be formed under an hour.

Round 1. Some sparring. Sam made a left-handed hit, which Medley stopped, and they closed and disengaged. Medley stopped again and threw Sam. Betting as at setting-to.

2. Medley

2. Medley made play, but the combatants closed. Sam recommenced a rally, and struck his adversary a violent blow on the temple, but Medley rallied, and he slipped down—3 to 1 on Sam.

3. Medley made two or three short hits, and evidently laboured under a temporary derangement from the violent blow he received in the second round. He rallied with true courage, but Sam stopped and hit him off his legs by a well-planted blow under the chin.—3 and 4 to 1 on Sam.

4. A rally was again commenced by Medley, and Sam hit him down by a body blow.

5. Sam stopped a good right-handed hit, and flew right and left at the head and body, and both blows told. Closing, and Medley was thrown by strength alone.—5 to 1 on Sam.

6. Medley appeared with a dreadful eye, and was shy, and got away. Sam made a stop, and when Medley came to him he hit him a blow on the face, which was heard in every part of the ring. The claret flew in torrents. They closed; Medley thrown.

7. Sam went in with gaiety, and hit Medley a most awful hit on the breast, and no bullock ever fell so clean from the hands of an expert slaughterman, as Medley.—Any odds, but no takers.

8. In this round Medley hit Sam down as he was coming in to rally, and he laughed and pointed at Sam, but his features were so ghastly from the blows he had received, that it was affected jollity.

9. Sam run in warmly at his man by way of retaliation, and missed his distance. This round displayed a vast deal of science in stopping on both sides; but Medley was ultimately knocked down.

10. Medley was knocked down in making play.

11. This was a round which consisted of real undisguised fighting, and it was the longest in the battle. Medley grew weak at last, after having made a hit on Sam's nose, and he was knocked down, Sam having milled him to all parts of the ring.

12. It would be difficult at this time to represent the situation of Medley; his face was shockingly disfigured, and the torrents of blood which flew from Sam's hits in the last round rendered the scene terrific. Medley fell from weakness, and not, as was said, intentionally, without a blow.

13. Medley was knocked down in making play by a blow in the kidneys, which swelled his side.

14. Sam, as was supposed, to keep wind, slipped up at going in.

15. No blow.

16. Sam went in and rallied, Medley being in a very weak state, but his game induced him to bore in upon his man, who threw in blows right and left, until Medley fell without being hit, and at least shewed himself a game man.

It would really be a repetition of this round to detail the other thirty-three rounds. At intervals Medley was able to make a hit or two, but they were always stopped, and Sam hit him down, or teased him at pleasure; but at length Medley bled so as to baffle his seconds to stop it, and nature having long become exhausted, his brother declared him beat.

Sam never had an opportunity of displaying the real art of boxing as in this instance. His method excited universal admiration, whilst his mercy, if the word may be here allowed, excited a sympathetic

thetic tear in many. He frequently left his man in a situation, when his blows must have been destructive to him. Medley may be justly termed as game a man as ever stripped, and a shewy setter-to, but a slight hitter. The temple blow in the second round took the fight out of him, and Sam never gave away a chance, so that the continual terrific hits Medley received must have rendered him senseless.

DOGHERTY AND BURN.

These men stripped, and when about to set to for a subscription purse, Burn took great pains to display a shoe stuck with nails, sufficient to torture his adversary, which the umpires objected to, and Burn, like a true cur, said, he had no wish to fight if his shoes were taken from him. Any thing was proposed to reconcile a fight on the part of Dogherty, but the affrighted Burn, whose looks were evident, would not be persuaded to combat, although Dogherty started from the ring with the epithet of coward in his mouth, and promised him a milling when he met him. The amateurs recommended a horsewhip to this impostor, and he fled to avoid their indignation. Burn has fought once or twice, but is a known bad one, and a cur of the first order.

DIXON AND BALLARD.

The battle betwixt these two first-rate professors in miniature, was a treat to the field. Dixon was beat in three quarters of an hour hard fighting. He possessed more science than his adversary, who is one of Caleb Baldwin's school, and the champion of Westminster.

The odds varied during the battle, but Ballard was the favourite at setting-to. Ballard is a game little ruffian, and he won by strength.

BAROUCHE DRIVING,

Described in a Letter from a Gentleman to his Friend.

As we were leaving Benson, the last stage to Oxford, we passed by a long lane of barouches. Although it rained with deluvian copiousness, the gentlemen to whom these equipages belonged, drove their own carriages, and were, with several friends, exposed to "the peltings of the pitiless storm," whilst, snugly protected within, their servants were lolling comfortably, and most deservedly laughing at the choice which their masters had made. This cavalcade was composed of the members of the Barouche Driving Club, who were proceeding to the inn at Benson, to hold one of their periodical meetings. All the members of this association are men of large fortune, amongst whom it is the fashion to imitate, as much as possible, in dress and manner, the coachmen and guards of the mail-coaches, the shape of which their carriages bear. These gentlemen have colloquial phrases, which are peculiar to this singular mode of recreation:—for instance ——when they meet each other with ladies in their carriages, they ask, with a significant, but highly studied wink of the eye (which is called classical) "What luggage have you to-day?" They have also a peculiar mode of saluting each other by a semicircular movement of the arm, which a young Oxonian,

an, apparently of high sporting blood, assured me, with infinite gravity, required nearly two years of constant practice to attain to any degree of perfection; and that there was a professor of this art, under whose tuition all the members had been.

Let not the observer of mankind too harshly reprove an association like this, by which the qualities of the noblest and most serviceable of animals are discussed, his breed improved, and science and humanity exerted, to reward him for his services; to which may be added the circulation of the wealth of the voluptuous, amongst the many humble beings who are necessarily employed in the support of such establishments as these. Nor let it pass unnoticed, that as men become social, they become civilised, and exhibit feelings and affections which never ennoble the solitary savage!

These gentlemen have, much to their credit, established a charitable fund for decayed coachmen—a class of men who are entitled to some protection in their old age, from their having helped so many to *get on* in the world. I should perhaps be doing a piece of injustice to these gentlemen, were I to omit one instance, amongst many, which might be adduced, of the enthusiasm which they display in their favourite pastime. On stated evenings, I am informed, a certain number of them, in rotation, set off with the mails, in different directions, and drive one stage, and then return to town, and this, too, in all weathers. The gentleman coachman is attended by a gentleman guard, who is regularly trained to produce all the due and expressive sounds of the horn. This is called night-training.

SPORTING GALLERY.

WE feel pleasure in giving place to the following, which is entitled, "An Appeal to the Nobility and Gentry patronising the Arts, and to the Public in general."

Famed as this country justly is, for its numerous philanthropic and charitable institutions, which, either by voluntary contribution, or well-digested union, protect almost every class of the population, it cannot escape the reflection of having totally neglected the formation of some fund or provision, towards which members of one of the most liberal professions, or their widows and orphans, in the hour of distress, could cast a look of hope; for it is a painful truth, that the superannuated artist, or his relict, has not that soothing shelter, though the musical fund presents a most laudable example.

With the recollection how much this, as a manufacturing country, is indebted to artists for its commerce, and consequent prosperity, (for who can deny that the painter, sculptor, &c. by his productions improves the taste, and consequently the merchandise and wealth of the manufacturer?) it would be libellous to suppose, that the most benevolent nation on the globe, will hesitate to support any undertaking from which such a fund could originate. Surely the wealthy and benevolent, numerous as they are, only want the opportunity to do ample justice to even the most sanguine hopes! Convinced of this, rather than presume that my penetration can ascertain the cause why such a fund remains neglected, I prefer the more gratifying task of contribut-

ing

ing my feeble but well-meaning aid, by inviting the public attention to that laudable object; and in this I may hope not to incur the suspicion of vanity; for though perfectly conscious of the great disproportion which exists between an humble individual like myself, and the object which I thus boldly attempt, I am cheered to perseverance by the recollection, "that the germ of even the greatest things is small," that the benevolent and generous will view my efforts with the eye of liberality; and that their applause, coupled with the approbation of my conscience, will proudly raise me above the misconstructions which envy or malice may possibly attempt to put on my endeavours.

Though I regret that my means fall short of the warmth of my wishes, I can but cheerfully contribute all that lies within my power; and feeling it right to prove my sincerity by deeds, as preferable to professions, I have determined to open galleries at No. 65, Pall-mall, for the exhibition and sale of *sporting and animal paintings only*, to be furnished by artists and others; devoting the profits arising from the admission money collected from the frequenters of this exhibition, to form my annual mite towards the raising of a fund for the relief of artists' widows and orphans, or for decayed artists themselves, to be denominated the artists' fund. The frequent visitor will thus contribute to a laudable object, gratifying his curiosity at the same time; *and the benevolent will find a book opened at the gallery, wherein all donations to such fund will regularly be entered.* [The appeal here details the system to be adopted in conducting the undertaking, with the names of bankers by whom subscriptions are received, likewise stating that a committee will be appointed, whose wisdom, no doubt, will ensure prosperity to the undertaking, and will induce thousands, whose distresses have been alleviated by their benign management and discernment, to invoke from Heaven eternal blessings on their patriotic benefactors.]

Having thus called the attention of the public to a subject which the benevolent and the generous will applaud and support, I will not trouble the reader with an apology, convinced that the object in view will be deemed an adequate one; but I will venture to entreat his support to the undertaking, by *early insertion* of his name and donation at the gallery of sporting and animal paintings, No. 65, Pall-mall: and in the hope of eventual success, I beg leave to subscribe myself the nobility, gentry, and the public's most respectful, and most obedient servant,

C. Random de Berenger.

Pall-mall.

[The subscribers to the fund are to have free admissions; and painters, or proprietors of paintings in the gallery, will be presented with tickets, admitting them constantly during the season.]

Plan and Conditions which will govern the Exhibitors at the Gallery of Sporting and Animal Paintings, Pall-mall.

1. Pictures or drawings, whether the property of artists or private individuals, will be received either *for sale*, or *for exhibition only*, and for which proper receipts will be given; but the subjects of all must either pourtray sporting scenes, or animals of some kind.

2. All must be sent framed, with a full description of the subject in writing, accompanied by the painter's

painter's name and address, and the proprietor's; and if for sale, a price must be added; which, however, will not publicly appear, but will only be communicated to persons inclined to purchase.

3. Pictures which are sold during the exhibition will be ticketed as such, and twenty-five per cent. deposit money will be received of the buyer; but no picture can be taken away before the 1st of September, when the premiums will be distributed to the painters of the prize pictures.

4. Catalogues will be printed, with full detailed descriptions of every picture; in these the names and addresses of artists will be alphabetically inserted, and a list of the subscribers and donors to the artists' fund will be added.

5. The proprietor of the gallery will, *in cases of sale only*, charge a commission; that is, ten per cent. for each picture selling under twenty guineas; seven and a half per cent. for each producing from twenty to fifty guineas; and five per cent. for those which sell for fifty guineas and upwards. No charge whatever in cases of non-sale.

6. The proprietor of the gallery is responsible for the value entrusted to him, cases of conflagration or public commotion excepted; and he will give to all exhibitors and proprietors of pictures in his gallery, tickets, which will give them daily admission gratis; and they at all times may have the satisfaction of knowing the name and address of purchasers; but the price which pictures produce will only be divulged to the proprietors of pictures sold.

7. The noblemen and gentlemen who, as well wishers to the artists' fund, feel inclined to increase the attraction of this gallery, will particularly serve its object, and oblige, by the *occasional loan* of fine paintings, in which case the catalogue will describe them *as private property, lent condescendingly* for that benevolent object; and adding the name of the person so obliging, unless objected to.

8. Models, ingenious inventions interesting to sportsmen, will also be exhibited, though *separately from the pictures*; and these also will have a place in the catalogue.

LEE VERSUS BLAQUIERE.

A CRIM. CON. CAUSE.

Tried in the Court of King's Bench, Saturday, June 16, before Lord Ellenborough and a special Jury.

MR. Abbott opened the case. This was an action of damages for Criminal Conversation with the wife of the plaintiff, &c. &c.

Mr. Garrow addressed the Jury.—"Gentlemen, this is one of those unhappy cases which unfortunately appear too often in Courts of Justice, and justice cannot be more laudably or usefully exerted than in chastising to the uttermost the crime of which I have now to complain. I shall shortly state the circumstances:—The plaintiff is a clergyman of the most respectable character; a man of distinguished learning and morals, and one of the chaplains to the Prince of Wales. In 1804 he married; and, if it were not presumptuous in any man to think that his happiness was within his own power, he might have been said to have secured, by that act, no common chance of happiness. I have not seen his wife, but I am told she is a woman

a woman of exquisite beauty. The marriage was altogether a union of affection, and it promised the most fortunate results to his future life. They continued to live for some years in the most perfect harmony. In this I speak advisedly, for it is quite certain that if any thing to the disadvantage of the plaintiff can be alledged, you will hear it. The wife of the plaintiff is now living with the adulterer; and it is not to be expected that any surviving feeling of delicacy will prevent her from publishing all that she can remember to defeat this action.—I proceed to the narrative. While they lived in this perfect union, the plaintiff and his wife went down to Ramsgate, and Mrs. Lee, an interesting and elegant young woman, joined with the natural spirit of youth in the amusements of that place, and it has many amusements. Clergymen, you know, Gentlemen, do not frequently attend balls, or, when there, make it a practice to dance with their wives. Mrs. Lee soon found partners and admiration; but the Honourable Colonel Blaquiere, a younger son of Lord De Blaquiere, was the most assiduous, and the most favoured. He visited at the plaintiff's house, and was received with frank and kind hospitality. The Colonel's attentions were at length observed; and Mr. Lee received some anonymous letters on the subject. On receiving the first of those letters, the plaintiff was only indignant at the insolence and meddling of the writer. He shewed it to his wife; she laughed contemptuously at the charge, and told it to Colonel Blaquiere. Another and another letter followed. Mr. Lee, assured of the purity of his wife, and incensed at the pertinacious malice of the informer, actually took legal advice as to the mode in which he should punish this spirit of meddling. It was, however, becoming so painful to attract the observation which had been evidently produced, that the plaintiff and his wife returned to London. And here, (said Mr. Garrow) began the first effect of that unfortunate intercourse with the defendant. The amity and affection of husband and wife gradually subsided on her part into coldness, and from coldness into alienation. Her husband, pained by this sudden interruption of his better prospects, naturally remonstrated, and endeavoured to reclaim her; but this was now beyond his reach—his fortune was injured, and his peace put in danger. The danger was not long doubtful. Colonel Blaquiere went abroad with his regiment; and on his return, with the honours of war thick upon him, was ambitious of other distinctions. He signalised his return to his country by breaking in upon the peace of an innocent and honourable man, a fond father, and a most affectionate husband. Mrs. Lee and Colonel Blaquiere now live together; they go by the same name, and the shameless and wicked deserter of her legitimate child is now become pregnant by her adulterer. Gentlemen, this is a case which calls for no common punishment. The confidence of the husband—the lenity, the long suffering, the generous frankness which he exhibited in the commencement of a transaction, which has ended in making him miserable beyond all power of your verdict fully to compensate, call for exemplary damages.

The Rev. B. Lawrence was called to prove the marriage of Francis Lee,

Lee, bachelor, with Catherine Ball, in July, 1804.

Sculthorpe, the plaintiff's footman, was then called. He deposed that he had attended his master to Marybone Chapel in 1804; they met a young lady in the street; his master took her under his arm, and they walked together to the Chapel, where they were married. On his cross-examination, he admitted that he had acted as father, and given Mrs. Lee away; that he wore plain clothes, and that his master had desired him to take the livery lace off his hat. He could not swear that his master wore black clothes, or the usual dress of a clergyman on that day. The lady appeared to be between sixteen and seventeen.

The Rev. D. Evans knew the plaintiff and his wife since their marriage, and believed them to have lived in perfect harmony until after their return from Ramsgate in 1806: from that time he observed a coolness; and for nearly six months before the elopement, he (the witness) almost ceased going to Mrs. Lee's house. She was very young, very beautiful, and very interesting. She was, as far as he could judge, rather fond of admiration; and, from the high circle in which she moved, rather too apt to adopt the fashionable style of dress, and expose her person more than he (the witness) would wish to see his wife do. Her manner was lively and animated, with somewhat of slight and levity, but without the least tendency to any improper or unfeminine allusion. He saw Mrs. Lee in Hampshire, in 1805. There was no want of affection in her conduct at that time. In September, 1808, Mr. Lee went to Spain, ("what," said Mr. Garrow, "Lee in Spain!") he remained there till January, 1809; witness did not believe that he had any official situation, or precise duty, but he brought back dispatches from Mr. Frere. Witness had heard, that in 1807, during a temporary absence of the plaintiff, Mrs. Lee left her house, and went to her mother's, Mrs. Johnson, in Portland place, but returned. Witness could not be sure that Colonel Blaquiere was in Spain while Mr. Lee was there, but rather thought he was.

Mr. Saunderson, the friend and schoolfellow of the plaintiff, admitted that, during the absence of Mr. Lee, his wife had applied to witness for money, as a loan, till the return of her husband, which however, he thought proper not to give.

Mrs. Evans, the wife of the Rev. D. Evans, was the intimate and early friend of Mrs. Lee. The coldness which grew between the plaintiff and his wife commenced after the Ramsgate excursion, and was frequently exhibited in little altercations about extravagance in dress, and other common matters; but no charge of infidelity, or any thing tending to grossness, was ever brought. Mrs. Lee's general manners were those of the highly fashionably society in which she lived. She was an extremely elegant and handsome young creature. Her conversation never touched upon indelicacy; she was, on the whole, rather reserved and dignified.

Mrs. Evans was then questioned whether Mrs. Lee had alledged any cause of complaint to her against Mr. Lee. She answered, that the perfect intimacy in which she lived with Mrs. Lee of course allowed her many confidences which she could not betray with propriety; but, on being further questioned, whether the plaintiff and his wife had

had cohabited for some time before 1809, she said that they had separate apartments for at least two years before.

A clerk from Messrs. Cox and Greenwood's office proved, that Colonel Blaquiere was a major in the 60th regiment, but could not say whether he was about to sell his commission.

Colonel Blaquiere's letters already alluded to, were put in and read. They were unimportant, and consisted merely of general expressions of resentment against the writer of the anonymous letters at Ramsgate; and regret that the name of a Mrs. Ramage had been introduced in the correspondence.

The person who let the lodgings in which Colonel Blaquiere and Mrs. Lee lived after their elopement, proved that they lived together with all the appearance of man and wife.

Sarah Salisbury, the housemaid at Mr. Lee's, proved that they were then living together; and admitted, in a question put to her by Mr. Park, that Mr. Lee and his wife had separate beds for three years before the elopement. The case here closed on the part of the prosecution.

Mr. Park, for the defendant, would not offend the jury by going into any of the painful and improper detail which the case seemed to invite. But where it was not an injury that was required to be punished, but damages sought, the actual circumstances of the parties were to be taken primarily into consideration. "I will not," said Mr. Park, "press upon the circumstances of the marriage itself. But there was a most improper levity, a most ominous indelicacy, in the form of that marriage. I speak as a father—as the father of daughters, and in that dear and tender relation I say, that nothing could be more injurious to the steadiness and purity of a woman's, a young and attractive woman's mind, than the lightness and look of intrigue with which that most solemn obligation to obey her husband, was contracted. No parent present—met as if by accident in the street—inveigled to the altar—a servant brought in to act the mimickry of father; the lace plucked off his hat to disguise him for the moment—the master throwing off the garb of a clergyman, signing himself in the registry as a layman, not *clerk*, but *bachelor*—And all this the manœuvre of a *clergyman*; a man of forty-five, to impress the sanctity of the marriage state, on the mind of a child of sixteen! What had been pardonable in a boy of one and twenty, who carried off the girl of his affections, becomes absurd and childish, and utterly unbecoming, in a grave and elderly clergyman. It was remarkable, that on this trial none of Mr. Lee's relatives were called forward to prove the cordiality of the parties at any period of their marriage. We are told that the plaintiff absented himself from the bed of his wife for three years before the elopement. Gentlemen, I wish to speak it with the most genuine respect for morality and decency; but a man who condemns a most lovely, innocent, affectionate young creature, a girl then of eighteen, to celibacy and solitude, deserves no damages. There is no colour in the evidence for her having known Colonel Blaquiere at Ramsgate. But if her husband valued her; if he had the common feeling of a man for that most precious

and

and exquisite jewel, a wife's love, how did he cherish her heart, how did he guard the jewel? I do not mean, said Mr. Park, that he should have used restraint; that he should have become an Argus, or attempted to oppress the soft and yielding spirit of a woman. But did he bring her into the society of her female relatives? Did he try to win upon her by gentleness, and leniency, and love? No! he left her to neglect on his part, and admiration on that of the world. He left her to ask money of his friends. He went to Spain to amuse his curiosity; this fact came like a surprise upon my learned friend (Mr. Garrow), and thus left his young and blooming wife to the first seduction that ventured to approach her. Colonel Blaquiere, a young, and as I understand, a handsome and accomplished man, met her; he suffered himself to give way to the admiration, which I am the last man in the world, to praise him for indulging. The ardour of an admirer was unfortunately capable of too strong a contrast with the coldness and contempt of a husband. After a long lapse of time the admirer became the seducer. I do not defend, I do not lessen the great crime which he committed. But you cannot give vindictive damages."

No witnesses were called on the part of the defendant.

Lord Ellenborough, in charging the jury, stated the principal shapes in which the crime of adultery might be supposed to come before them, and concluded a charge of great dignity and eloquence by leaving the matter to the jury.

The jury, without leaving the box, returned a verdict for the Plaintiff.—Damages 500l.

CRICKET MATCHES.

To the Editor of the Sporting Magazine.

SIR—As your very entertaining Magazine comprises sporting under all its various denominations, I have sent you the following account of two grand cricket matches, lately played at the Town Close, near this place, between eleven of Norwich and eleven of the Wiltshire regiment of militia now quartered here.—I remain, Sir,

Norwich, June 17, 1810. An Old Cricketer.

FIRST MATCH, JUNE 5TH, 1810.

NORWICH.

FIRST INNINGS.

Mr. Gurney	8	b. Feltham.
Dalrymple	6	b. Ayling.
Wright	12	b. ditto.
Ives	58	b. ditto.
Bradley	4	c. Simms.
Pooley	14	c. Bouverie.
Willis	19	c. Dimmer.

Mr. Clab-

Marshall Pin.t Scott sc.

SPANIELS - SPRINGERS.

Pub. August 1st 1810, by J. Wheble, Warwick Square, London.

Mr. Clabburn	0	c. Simms.
Mr. Bird	3	run out.
Mr. Young	2	before wicket.
Mr. Skippen	1	not out.
Byes	7	
	134	

WILTSHIRE.

	FIRST INNINGS.		SECOND INNINGS.	
Major Wyndham	0	hit the wicket	4	c. Young.
Captain Bouverie	5	run out	2	S. Gurney.
Mr. Powell	0	c. Bird	1	run out.
Mr. Dimmer	0	c. Clabburn	0	c. Bradley.
Mr. Feltham	5	c. Pooley	0	run out.
Mr. Ayling	13	b. Bradley	22	c. Pooley.
Mr. Simms	2	run out	1	b. Clabburn.
Mr. Fowle	1	b. Bradley	3	not out.
Mr. Hood	8	b. Clabburn	0	c. Wright.
Mr. Rathburn	0	b. ditto	2	run out.
Mr. Winkworth	13	not out	1	c. Bradley.
Byes	7		7	
	49		43	

At starting, bets even; after Norwich first innings, 4 to 3 for Norwich; after Wiltshire first innings, 2 to 1 for Norwich.

A match was made for the following week, between the same parties, with 3 to 1 betted upon Norwich; a statement of the match you have subjoined:—

MATCH, JUNE 15TH, 1810.

WILTSHIRE.

	FIRST INNINGS.		SECOND INNINGS.	
Major Wyndham	6	run out	12	b. Willis.
Captain Bouverie	2	b. Clabburn	4	b. ditto.
Ayling	0	b. ditto	0	c. Bird.
Feltham	24	c. Wright	14	c. Ives.
Powell	2	leg before	3	c. Clabburn.
Fowle	3	not out	0	b. ditto.
Simms	3	b. Bradley	4	run out.
Hood	0	c. Bradley	3	b. Willis.
Rathburn	0	run out	0	b. Clabburn.
Winkworth	10	b. Clabburn	1	b. ditto.
Ewer	0	b. Bradley	4	not out.
Byes	7		8	
	57		53	

NORWICH.

NORWICH.

FIRST INNINGS.				SECOND INNINGS.
Mr. Gurney	12	b. Feltham	10	run out.
Mr. Wright	0	b. ditto	29	b. Feltham.
Mr. Dalrymple	6	run out	0	c. Ayling.
Mr. Ives	13	c. Wyndham	4	run out.
Mr. Bradley	3	b. Feltham	17	c. Wyndham.
Mr. Pooley	2	b. ditto	48	c. Feltham.
Mr. Willis	8	b. ditto	15	b. ditto.
Mr. Clabburn	0	not out	0	b. Ayling.
Mr. Skippen	2	b. Feltham	0	not out.
Mr. Young	4	c. Hood	3	b. Ayling.
Mr. Bird	5	c. Winkworth	5	b. ditto.
Byes	17		19	
	72		150	

After the two first innings, 5 to 1 for Norwich.

LORD PORCHESTER's ACT,

For the better Preservation of Heath Fowl, commonly called Black Game, in the Counties of Somerset and Devon.

WHEREAS by an act passed in the parliament of Great Britain in the 13th year of the reign of his present Majesty, intituled, "an Act to explain and amend the several Laws now in being, so far as the same relate to the Preservation of the Moor or Hill Game," it is enacted amongst other things, that from and after the twenty-fourth day of June one thousand seven hundred and seventy-three no person or persons shall, upon any pretence whatsoever, wilfully take, kill, destroy, carry away, sell, buy, or have in his, her, or their possession or use, any heath fowl commonly called black game, between the tenth day of December and the twentieth day of August in any year: and whereas it would tend very much to the preservation of the said game, if the time for taking and killing heath fowl were postponed; be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons in this present parliament assembled, that, from and after the passing of this act, no person or persons shall, on any pretence whatsoever, take, kill, or destroy, or attempt to take, kill, or destroy, in the counties of Somerset and Devon, any heath fowl commonly called black game, between the tenth day of December and the first day of September in any year; and every person who shall transgress this act in any of the cases aforesaid shall, for every heath fowl so taken, killed, or destroyed, and for every attempt to take, kill, or destroy such heath fowl, contrary to the true intent and meaning of this act, be liable to the same forfeitures and penalties, to be recovered in the same manner, and subject to the like appeal, and the same provisions in every respect whatsoever as, in, and by, the said recited act are enacted in respect of any offence committed against the said act.

MAD BULL-DOG.

Extract of a Letter from Brighton, dated June 25.

ABOUT five o'clock, yesterday morning, a bull-dog, with every appearance of madness about him, visited the close or farm-yard of B. Tillstone, Esq. of Moulse-Combe-place, near this town, where he attacked and bit three valuable cart-horses, a very fine three-year-old colt, a terrier dog, and a bitch with puppies, who was fierce in the defence of her young, but they were all killed by the mad animal. The colt, as if sensible of the nature of the attack, parried it for some time, by striking the assailant with his forelegs, and once so violently, that he laid him prostrate on the ground, but he soon recovered, and in return, seized the colt by his nose; after which he ran into another close, whither he was pursued, and killed with a pitch-fork, by one of Mr. Tillstone's carters; but the fear of being bitten in the act, had so terrified the poor fellow's mind, that immediately after accomplishing his object, he fell into strong fits, and remained under their convulsive influence until he was relieved by Mr. Taylor, surgeon of the 10th Hussars, who was sent by Col. Quinton to his assistance. The dogs bitten were, by order of Mr. Tillstone, killed; and the horses were committed to the care of the Veterinary Surgeon of the above regiment, who lost no time in applying the cautery to the affected parts. Rees, in his New Cyclopœdia, tells us, that a decoction, prepared from the fresh leaves of box, rue, and sage, administered in due time, seldom fails of preventing hydrophobia.

Since writing the above, we have learnt, that the dog first made his appearance in our Barrack-yard, between three and four o'clock on yesterday morning, where, we are informed, he bit several dogs, some pigs, and even goats, after which he ran to Mouse-Combe, as before stated. Colonel Quinton, on being informed of the circumstance, highly to his credit, ordered all the dogs and goats in the garrison, that had been exposed to the danger of being bitten, to be killed; and it is said, that nearly forty were, in consequence, sent to execution, and by the Colonel's directions afterwards buried.

MAD DOG IN KENT.

About four o'clock, on Wednesday morning, the 14th, a dog, supposed to be infected with hydrophobia, entered the premises of Henry Gipps, Esq. of Herne Common, and having killed a cat and two Guinea fowls, which it dreadfully mangled, ran into a field belonging to George May, Esq. of Herne, where it killed and wounded four or five of his sheep, and bit the shepherd's dog, also a hog the property of Mr. Widdett, and killed a dog belonging to him. The animal was afterwards destroyed near Sea-street.—The owner of the dog is a woman of the name of Brown, living in Herne-street; and it is understood that it had evinced strong symptoms of rabies on the preceding day.

HORSE CAUSES.

Court of Common Pleas, June 5.

Keat *v.* Maule.

MR. Serjeant Sheppard, for the plaintiff, stated this to be an action to recover the sum of 41l.

 under

under the following circumstances. The defendant had sold a horse to the plaintiff for 50l. on condition that if he did not suit the plaintiff, he was to be returned on the plaintiff's paying 2l. per month for the time he kept him. After the plaintiff had had the horse for three days, his eyes became very bad, which were shewn to the defendant, who desired the plaintiff not to be alarmed, as he would warrant the horse to be as sound as any in England. The defendant then ordered the horse to be bled, and directed some medicines to be given him; all which was done, but instead of getting better, the horse's eyes became worse and worse; and after keeping him near two months, the plaintiff offered to return him, at the same time paying all that was due to the defendant. The horse, was, however, refused to be received by the defendant, and was consequently sent to a stable-keeper's, where he has remained since the 18th of August last.

William Stevens proved the purchase of the horse, his subsequent blindness, and the offer of his return, &c. Cross examined—The plaintiff is a dyer, and in his stable keeps a dying copper, but that could have no effect on the horse's eyesight, since none of his other horses had ever been similarly affected. Several other witnesses were also called, who all proved the facts already stated.

Mr. Serjeant Best, in the defence, stated, that the declaration did not mention any agreement like that proved; and contended that it was highly improbable that the defendant should ever have made such a bargain as that the plaintiff should enjoy the use of this horse for 2l. a month to all eternity, if it were possible for the horse and him to live so long. He called no witnesses.

The Jury, however, under the direction of the learned Judge, (Chambre) found a verdict for the plaintiff, damages 41l. besides the price of the horse's subsistence, at 1l. 1s. per week, since the 18th of August last.

Court of Common Pleas, Guildhall, June 10.

Thornton *v.* Choppin.

This was an action to recover 80l. paid for a horse warranted sound. The plaintiff is a banker, and the defendant a stable-keeper at the West end of the Metropolis. The horse was returned soon after it was purchased, on pretence that it was not sound. It was stated that the horse had an incipient spavin when it was purchased; but the plaintiff failed in making out a case of unsoundness, and a nonsuit ensued.

Writ of Inquiry in the Secondary Office of the Sheriff of Middlesex, June 16.

Lutyens *v.* Hubbard.

Judgment having gone by default in this cause, the damages were assessed yesterday before the Secondary. The defendant lives at Shepperton, in Middlesex, and is rector of that parish; in the course of last year the plaintiff, who is now acting as a deputy commissary in Portugal, being then in this country, and under orders to proceed to the Island of Walcheren with the late expedition, sent his charger to grass in Kempton park; the horse cost him seventy guineas.—It appeared that the defendant had also a horse in the same park.

In the middle of August, Mr. Hubbard

SPANIEL STARTING A HARE.

Pub. June 1st 1810, by J. Wheble, Warwick Square, London.

Hubbard sent his servant for his horse, but, instead of taking him, he took the charger belonging to the plaintiff. The next day the horse was sent to the farrier to be shod; but the farrier, on examining the horse, discovered it was not the defendant's, for his horse had a white mark on its face, which the horse sent to him had not. Notwithstanding, the defendant persevered in retaining the horse, and directed the servants to trim him. He continued to work him, and when riding out with his servant, would often ask if the horse was injured; and was always answered in the negative. After some time he sent the horse into the field to plough, and continued using him till he became quite weak, and unfit for service.

The Counsel for the plaintiff descanted at great length upon the impropriety of the defendant's conduct, and produced several witnesses to prove the taking of the horse from the Park, and the subsequent ill treatment.

Mr. Adolphus, on the part of the defendant, argued that no claim had been made, and that if there had been, the horse would have been given up.—Verdict, seventy guineas.

Court of King's Bench, Guildhall, June 19.

Fuller, Esq. *v.* Grant.

This was an action brought to recover eighty-four guineas, on account of a horse sold by the defendant to the plaintiff, not answering the warranty given.

It appeared, that the plaintiff, a gentleman residing near Windsor, purchased from the defendant, in June, 1802, a horse, which had been lame with the curbs. The defendant was not present at the sale, but his foreman, Thomas, engaged, that if the horse got lame before a twelve-month, of the curbs, that he would return the purchase-money. The horse in August following became lame, but the plaintiff did not return him, or give notice to the defendant until the month of December.

There was a vast deal of contradictory evidence produced; but the jury, after the learned judge had summed up the evidence, without hesitation gave a verdict for the plaintiff, 84l. and 40s. costs. This trial occupied the chief of the day.

SPANIEL STARTING A HARE.

An Etching, by Mr. Howitt.

WITHOUT turning to our remarks of the month before last, on the excellence of Mr. Howitt's productions, we shall here only give the title of the plate, leaving the subject for the contemplation of the readers of the SPORTING MAGAZINE.

PIGEON SHOOTING.

"Prime—bang up to the mark."

THE second meeting of the Old Hats Club was held at Mr. Trehern's, at Ealing, on Thursday, the 14th instant, and was, as usual, numerously attended—the shooters generally expert.—An amateur correspondent, who was present on the occasion, has favoured us with a few of the most interesting particulars. Pigeon-shooting, he contends, is a warlike amusement, and has a close analogy to the military art; the enemy, it is true, is not quite so ferocious as Napoleon. The same dire and destructive

destructive materials are employed on the one occasion as on the other, and the greatest uncertainty attends upon success. The conqueror of one day is vanquished on the next (as after the battle of Wagram, &c.) Thus we find, the wildness and strength of the pigeons, the appointments of the gun, &c. may not be in high order, or by the best artist; the shooter's nerves may not be firm, or in a state of harmony; for sportsmen are not alike at all times, and to all things: these several concatenating causes seem sufficiently to account for, and confirm the truth of the above hypothesis. We hasten to give the day's sport—

Mr. Brien	killed	11	of 12
Right Hon. Lord Reay		9	do.
Lord Pollington		9	do.
Col. Wemyss		8	do.
Messrs. Snell		8	do.
—— Isaac		8	do.

Mr. Brien was captain of the day, and we have frequently been much gratified by seeing the dexterity of this gentleman: his style is every way complete; he is a capital timist, which is one of the chief arcana in this diversion. Often have we seen gentlemen of the old school unsuccessful, merely from the wrong adaptation of partridge time to the killing of pigeons. We ought not, however, entirely to overlook one of the chief co-operating causes of Mr. B.'s success; it is the excellence of the gun he uses; he has long given a decided preference to those manufactured by Mr. Smith, of Lisle-street, whose ingenuity has suggested to him the art of reconciling and blending the two contrarieties of close shooting and sharp shooting. The explosion of his guns is unusually quick, and no hesitation or hanging fire.

SAGACITY OF ANIMALS IN THEIR FOOD.

MANY animals have their food at hand, and find their table, as it were, ready spread; but the enjoyment of it requires great consideration, sagacity, and very nice distinction, the table being prepared for various creatures; and what agrees with one is hurtful to another. Linnæus has found by 2314 experiments, that bees eat 276 kind of herbs, and 218 they will not touch; goats feed on 449, passing by 126 others; sheep are fond of, and thrive on, 387, whereas from 141 others they immediately turn aside; horses delight in 262 herbs, and shew a manifest aversion to 212; swine fatten on 72, and make no account of 171. There are, consequently, several hundreds of vegetables of which these tame animals distinguish the forms and qualities. What a natural skill in botany is here, and likewise what a memory!

DEATH OF T. BURDON, Esq.

IN the beginning of this month died, at Stockton-upon-Tees, Thomas Burdon, Esq. formerly well known upon the turf.—He succeeded his relation, Mr. John Coates, in the year 1780, and was the owner of the two celebrated racers, Orpheus and Duchess. Mr. Coates, their breeder, also bred Lass of the Mill, by Oroonoko, which mare was the dam of Young Davy, Calliope, North Briton, Melpomene, Young Match'em, North Star, Atalanta, &c. — *(A List of Mr. Coates and Mr. Burdon's stud shall be given in a future Number.)*

FEAST

FEAST OF WIT.

A Paper of the present month contains the following paragraph:—"Some letters, we understand, were received from Dublin, stating that a gentleman high in the profession of the law having detected his wife in a situation with a noble lord, which left no doubt of a criminal familiarity, had inflicted summary vengeance upon his lordship, and had then surrendered himself to an officer of justice. *Rumour* has charitably ascribed the above *creditable exit* to various distinguished characters; amongst whom Lord B. and Lord L. have been pretty freely mentioned; but the latter has clearly exonerated himself; for being met the other day by an *Irish* friend in Dublin, and anxiously asked by him, whether it was he who had been *shot dead* in a *crim. con.* affair at——, his lordship solemnly assured him it was not, nor had he ever the smallest ambition thus to die in the *bed of honour!*

Every one to his Trade.—A political dancing Master, in the language of his profession, gives the following advice to his Majesty's ministers, and proposes a few *lessons* to instruct them in some graceful new *steps*, that will enable them, with becoming dignity, to *foot it* out of office, to *cast off* their present *partners*, and, by confessing their error, *join hands* with the friends of reform, which will enable them to *promenade* in safety on Burdett's acquittal, and *change sides* with the approbation of the public, take the *lead* in the cause of freedom, *turn* out the Borough-monger faction, *chace* the evil-advisers from his Majesty's councils, and replace them with a *set* of real friends to the king and constitution, who will support, *right and left*, that great bulwark of English freedom Magna Charta, by which we shall enjoy our full *swing* of freedom and power, which will always enable us to *triumph* over our most inveterate enemies, and make us *figure away* amongst the most exalted nations.

Privilege of Parliament.—In the year 1611, the Manks Legislature passed an act, declaring that whosoever should speak any scandalous words against any of the Twenty-four Keys, and be not able to prove them, for *every* such offence should *have his ears cut off!*—Quere, What time was supposed necessary for the growth of *a new pair?*

To prevent a meadow being trespassed on, the following notice is given near a little village in Berkshire: "Whoever trespasses on these premises will be *persecuted* with the utmost *vigour* of the law. *Apply* to Mr. Smith," &c. &c.

Smart Repartee.—The clown at Astley's, feeling himself greatly annoyed one evening by a respectable man in *appearance*, in the pit, no longer able to endure his *impertinence*, addressed the audience in these words:—"Ladies and Gentlemen, that man (pointing very significantly to him) is very much like myself; the only difference between us is this—I am *paid* for making myself a *fool*, he makes himself one for *nothing*." The clown received the general appro-

bation

bation of a most crowded and fashionable audience, and his opponent was quiet during the remainder of the performance.

A gentleman popping into a poet's study, found an unfinished poem, the last written stanza of which was expressive of the insatiate avarice of a gamester, who gaining much, was still intent upon obtaining more. There being a want of similies throughout the poem, the visitor supplied the following *elegant* metaphor :

"E'en so at supper I have often seen
My friend Dick Distich, with a greedy eye,
Survey the neighb'ring cuts of fat and lean,
Begrudging every morsel that past by."

Criticism and Philosophy.—Mr. Lloyd, the lecturer on astronomy, has been visiting Stafford ; but not being well attended the first night of his performance, he gave out a hand-bill the next day, reflecting on the taste of the town. Mr. Amphlett, the editor of the Staffordshire paper, defended the public, accused the philosopher of ill manners, and advised him to *leave the stars awhile*, and *study the world.* The consequence was, a personal altercation, in which the philosopher menaced the critic with an opposition paper that should *eclipse* him. The critic retorted on the philosopher, and threatened to *kick him out of the solar system!*

Welsh Proverbs.—He that would be merry—drink wine! He that would be strong—drink ale! He that would be healthy — drink mead!

A CLERGYMAN, it seems, has had a hand and pen in drawing up certain *articles* of *faith* for a lady so well known for *royal gallantry* : that being the case, there is no doubt but that to whatever the Parson says, the *Clark* will say *Amen.*

Letter-writing appears to be the ruin of all the *great people* of the present day. In proof of this we may cite the letters of the Duke of York, of General Clavering, of Colonel Wardle, of the Duke of Kent, of Lord Folkstone, and, last of all, of Doctor Milner, (this last on the catholic question).

A *Victualler* and a man of *bad character* walking together, were observed by a wag, who said "there goes two *Scripture Characters.*" Being asked to explain, replied, "Why, one is a *Publican* and the other a *Sinner.*"

A LAWYER'S Advertisement—from an Ohio Paper.—R. Douglas intends *practising law,* in Chillcothe, if he can get any thing *to do.* He intends to be *honest likewise.*

SOME years ago, it matters not how many, an organ was erected in the church at Aylsham, in the county of Norfolk. The organist of the cathedral of Norwich was to open the organ. He arrived in due time, and was admired by the crowd for his beau-like appearance, to which, being a young man, he had no objection. He ascended the organ-gallery stairs, made a most consequential bow to the builder, who bowed most respectfully in return, placed himself on the stool, adjusted his long ruffles, and drew out all the stops ; stop diapason, open diapason, principal twelfth, tierce, cornet sesquialtia, trumpet, and regretted that there was not a clarion. After keeping the

the audience in suspense for a considerable time, his fingers descended on the full chord of D. Not a note spoke; the organ was dumb. Enraged and disappointed at not producing the intended grand effect, he stamped most furiously, as a signal to the blower to administer that wind, without which an organ, like a windmill, is a body without a soul. He had no doubt he heard the wind rushing into the chest, ready to be emitted most copiously; as grand music in an organ consumes a great deal of that necessary commodity. Again he struck the full chord of D. Not a sound was heard; the organ, again, was dumb. Being a man of genius, and rather a fanciful imagination, though he did not believe in the existence of Æolus, yet he began to think there had been a conspiracy against him. He stared at the builder in the utmost consternation. The builder, whose eye sparkled with conceit, thus addressed him: "Don't be alarmed, Sir, you have made a mistake."—"A mistake!" replied the terrified organist: "what mistake?"—"Why, Sir, you have drawn all the stops."—"To be sure I have; who ever heard of an organ's sounding when the stops were undrawn?"—"Oh, Sir, that is very true; but my organ, Sir, is differently constructed; when you wish it to sound, you must push in all the stops." The organist, instructed by this most eccentric and original builder, played as good a voluntary as the shattered state of his wits and nerves would allow; and never forgot the opening of the organ at Aylsham.

In the Parliament Journal, December 11th, 1667, there is an entry of certain charges against Chief Justice Keeling, one of which is, that in the place of Judicature the Lord Chief Justice hath undervalued, vilified, and condemned *Magna Charta*, the great preserver of our lives, freedom, and property. It appears from an account of the trial of Fenn and Mead, that his Lordship had said that Magna Charta was no better than *Magna F—a.*

In one of the Sunday papers, we find two advertisements for "*sleeping partners*," or in other words, for *prudent wives!*—One gentleman commences his address as follows:—

"Hymeneal Overture.—Any lady or gentleman having the ability and disposition to introduce the Advertiser (a young man of family and respectability) and promote his union with a Lady of fortune, liberal education, and distinguished connections, shall immediately on the adjustment of the alliance, receive a compensation of one to three thousand pounds, as shall hereafter be agreed upon. The Gentleman is heir to a large *estated* property, with title, of which the most satisfactory proofs will be given, and his character will bear the strictest investigation. His age 25." Apply, &c. &c.

The other,

"Marriage Offer—A Bachelor, about 34, who has superior pretensions to the combined character of the Man and the Gentleman, wishes to enter into a matrimonial treaty with a Lady of ennobled birth, title, or fortune, or who possesses interest sufficient to obtain him an appointment equal to his merit." Address, &c. &c.

And concludes with the following Nota Bene, "Distinguishable in the Park."—Modest Young Man!

SPORTING INTELLIGENCE.

THE ingenious Mr. Charles Le Caan, of Llanelly, Carmarthenshire, has obtained a patent for an invention of certain apparatus, to be added and united to the axletrees and wheels, or naves of wheels, of carriages, so as to impede, resist, or check their action.

ON Saturday, the 9th inst. the Silver Arrow, given by the city of Edinburgh, to the Royal Company of Archers, was shot for, at Hope Park, and won by Dr. Mackenzie Grieve.

BY a late resolution of the Jockey Club, all bets on the 2000gs. Stakes in the First Spring Meeting at Newmarket, and also on the Claret and Port Stakes, are to be considered as play or pay bets, unless stipulated to the contrary.

SIX guineas have been paid to the treasurer for the benefit of the Leicester General Infirmary, by a farmer in that county, as the consideration of Edward Hartopp, Esqr's, remitting an action against him for wilfully shooting one of his young hounds, at Croft.

ON Saturday, the 16th, John Mitchell was committed to the Suffolk county gaol, Ipswich, by the Rev. Thomas Methold, charged with maliciously maiming and wounding a horse, the property of Mr. John Freeman, of Aspall, with whom he lived servant.

ON Wednesday, the 6th, John Browne, servant in husbandry to Mr. Cobbold, of Trimley St. Martin, Suffolk, was committed by the Rev. Sam. Kilderbee, Clerk, to Woodbridge Bridewell, for one calendar month, for cruelly and violently flogging one of his master's horses with an iron fastened to the end of a whip, and for otherwise disobeying his said master's orders.

Advice respecting Horses at Fires.—Notwithstanding the extreme terror in horses excited by fire, which makes them stupidly resist every effort to remove them from the conflagration, the throwing on of the saddle of a riding-horse, or the harness of draft-horses, will induce them instantly to follow any person, and they may thus be conducted out of the danger.

EFFECTUAL REMEDIES FOR CERTAIN COMPLAINTS IN HORSES.

For the Cholic and Gripes.—As soon as the complaint is discovered, to somewhat more than a pint of warm water, add an ounce of laudanum, after which let the horse be walked about for some time; and if he appears to be relieved (which frequently happens when slightly attacked), it will be unnecessary to repeat the dose; but if he still continues under pain, with an inclination to lie down, repeat the dose with an ounce more.

For the Bots.—In the morning, upon an empty stomach, let two pounds of treacle, dissolved in three pints of new milk, be given, after which secure him from taking any food for nearly two hours; then add an ounce and a half of laudanum to about three half pints of warm water. After it is given let him

be

be walked about for nearly an hour and a half, then let a dose of strong mercurial physic be given, and worked off in the usual way.

Mr. Yardley, a pedestrian of some note, who has won some good matches, started on Tuesday morning, the 12th instant, to go from Knightsbridge to Salt-hill and back again, a distance of forty-two miles, in six hours and a quarter, which he performed with ease, in five minutes less than the given time. Mr. Yardley did twenty-one miles in three hours; six miles and a half an hour the other three hours, and the remaining mile and a half in ten minutes. The pedestrian netted 300l. by the match.

A person of the name of Jacobs, who, it has been stated, was on a pedestrian journey of 500 miles in seven days, in the West of England, resigned his task at Andover, after having gone 310 miles in five days. Lameness prevented a continuance of the journey. The wager was for 300 guineas.

A few days ago, an Officer of the Oxford Militia undertook, for a wager of twenty guineas, to run from Little Hampton Barracks to Arundel Church, in two hours and a quarter, without stockings or shoes, being ten miles, which he performed in two hours.

Astonishing instance of bodily exertion in a youth of only sixteen. John Hulme, a native of Salford, not long since left his home and went to London; disappointed in his expectations, he soon determined to return; which he did, as he went, a pedestrian: on his way home he joined the Defiance coach on the road, and actually run by the side of the vehicle a distance of seventy miles!—for twenty miles together he kept close to one of the fore wheels, and accomplished this amazing journey (merely for amusement) with apparent ease. — This information comes from a respectable manufacturer of that town, who was an outside passenger.

On Monday, the 18th instant, a youth of seventeen years of age, named Bentley, was backed for a wager of ten guineas to go on foot from the end of Smithfield to Whetstone and back again, in the space of two hours. He started at five, and arrived at Whetstone ten minutes before six, took a short refreshment and resumed his journey back, which he accomplished seven minutes under the given time, the distance making eighteen miles.

Ghost of a Dog.—The following whimsical story is from a Dublin Paper:—" A circumstance attended with curious, but, we fear, fatal consequences, has lately occurred this city. A child, belonging to an old woman who lives in Wine Tavern-street, was some time since scratched by a dog, who, from residing in the neighbourhood, used occasionally to visit her apartment. Although the injury done was very trivial, the mother viewed it as such a flagrant breach of hospitality, that nothing would satisfy her but the offender's life. A positive refusal of this awful retribution being made by the owner, she applied to a Magistrate for an order for his execution, which having obtained, he was suspended over the Coal-quay wall, and having hung a considerable time was cut down

down and dropped into the river. Some friends of the deceased, however, contrived to take the body away privately, and having placed it in hot ashes, poured spirits and milk down the throat, applied bottles of hot water to the soles of the feet, and adopted other means recommended for restoring suspended animation; their efforts so far succeeded, that the dog was, in about three weeks, able to run about as usual. The first use he made of his new animation was to see his old friends; but having run into the old woman's apartment as he was wont to do, she was so terrified, having believed him dead, that she fell into fits, and now lies so dangerously ill, that great fears are entertained for her safety."

On Friday, the 8th inst. died, Mr. Robert Foot, jun. of Ludwell, aged 19 years. On the Monday preceding, he was going out with his loaded gun, but stopping to converse with a friend, he incautiously rested on the muzzle of the gun, which went off at half cock, and nearly the whole charge of shot passed through his left hand, grazed his side, and lodged in his shoulder. He had just quitted an affectionate mother, in this full glow of health and youthful spirits; he returned to her maimed and streaming with blood!—From the direction in which the shot had passed and lodged, little hope was from the first entertained of his recovery: he endured his sufferings with great fortitude and patience, took an affectionate leave of his friends, and requested that this statement might be given, in the hope that it would induce others to be more careful, and thereby prevent the recurrence of a similar melancholy accident.

Mr. Windham.—This gentleman was unquestionably one of the most distinguished members of the House of Commons, and one who always delivered his sentiments in the most manly and unbiassed manner, for his character was that of intrepidity itself. We mention the death of this gentleman as the advocate of bull-baiting.

The following melancholy circumstance took place the early part of this month:—A young man who was bringing two blood horses to Bath, very imprudently fastened the bridles by which he was leading them, round his wrist. At the foot of Dunkerton hill the horses took fright at a heap of stones, and ran off at full speed, dragging the man from the poney on which he was riding, and continued to drag him along the turnpike-road between them, hacking and mangling him in a most shocking manner. Several of his bones were broken, and after languishing for about 20 minutes, he died in the most excruciating torture.

"Five Guineas Reward.—Whereas Major Warrington, of Kidlington, in the county of Oxford, did either sell or give away a little bay mare, about fourteen hands and a half high, with a white star on her forehead, and a white leg behind, about the month of August or September, 1808.—This is to give notice, that whoever will give such intelligence, that the above mare may be found out, to Mr. Ebers, bookseller, Old Bond-street, shall receive from him the above reward. Any intelligence will be thankfully received, and any trouble most amply repaid."

(copy).

(COPY).

The above advertisement having appeared in several newspapers, at my request, I am now called upon, in justice to my own feelings, and those of Colonel Warrrington, thus publicly to state, that I never meant, in any shape whatsoever, to cast any reflection, or convey any implication, derogatory to the character of that gentleman. On maturely weighing the nature of it, I have no hesitation in acknowledging that the same is worded in a very incorrect and unguarded style; and I trust this apology will satisfy his feelings, particularly when I state that I was uncommonly partial to the mare, and from hearing of her being in a hackney coach, I was induced to insert the advertisement, with the anxious hope of its being the means of ascertaining in whose possession she now is.—(Signed)

E. LECHMERE CHARLTON.

London, May 25, 1810.

ON Wednesday, the 6th, a marten-cat produced a famous hunt, in Bathurst Wood, belonging to Sir Godfrey Webster, in the neighbourhood of Battle, in Sussex. The animal was forced from her retreat, in the hollow of a tree, where she had deposited her young, and by taking refuge in divers other trees, of a similar description, she baffled the pursuit of her enemies for nearly six hours, and, until she was at length bagged, by cutting down the trunk which she last resorted to for shelter. She was afterwards turned out before the dogs, in an open space, in Lady Webster's Park, and soon killed. Her young ones were preserved, and are rearing by hand, for domestic purposes.

Two men, the one named Finch, and the other Shoesmith, lately quarrelled and fought before the Swan Inn, at Forest-Row, when the latter, by an unlucky fall, was so much hurt, that he in consequence soon after died.—Coroner's verdict—Accidental Death.

ON Saturday afternoon, the 9th inst. a pitched battle was fought at Thames Ditton Common, Surrey, between two young men, labourers of that place, of the names of Gibbs and Pearson, seconded by T. Jones, of Kingston, and —— Cox, of Hampton; backed for ten guineas a side. They set to at six o'clock, with equal resolution and strength, and for the first three rounds, bets were 3 to 2 in favour of Pearson, he having knocked down Gibbs by blows on the head, which had nearly blinded his left eye. After this, Gibbs fought with more caution, hitting his antagonist repeated body blows, when he became the favourite. At length, after hard fighting for 52 minutes, Gibbs was declared victor. A great deal of money was won and lost on the issue. They were afterwards conveyed to their respective homes by their friends, in a shockingly bruised state.

IT having been given out that the boxing match between Dogherty and Burn would take place on Tuesday, the 26th instant, at Golder's-Green, on the Hendon road, there was a tolerable muster of amateurs and boxing gentry, but it was soon whispered that Dogherty was unwell, and that the battle would not take place. To reconcile this disappointment, two candidates for bruising fame were pitted, whose names are White and Russell, and they set-to about two o'clock, for a purse. The fight

lasted

lasted about half an hour, but afforded no sport. White at length complained of sickness, and gave in. A fight of another kind, between an untried bull and some game dogs, brought for the purpose, afterwards took place. The third dog pinned the bull.—The ring being again formed, a match was made for 18 guineas, between Burne and a novice named Silverthorne. After fighting ten severe rounds, victory declared in favour of Silverthorne. They were both very much bruised, and obliged to be fanned, to keep life in them.—The bull was then baited a second time, and the sports ended at six o'clock.

Sparring.—The younger Belcher had a benefit at the Fives-court on Thursday, the 14th inst. which was attended by several hundred persons. The pugilists who exhibited were the two Belchers, Crib, Pittone, Richman, Gregson, &c. &c.

Mr. Denovan, superintendant of Police, Leith, has received from M. Barclai, the Lieutenant of Police, at Stockholm, in Sweden, a curious instrument of Swedish invention, for seizing a thief or vagabond.—It is fixed on a pole five feet long, and when pushed forward, opens with a spring, and receives the neck of the person wished to be taken into custody, from which he cannot extricate himself, and may be led along by a boy; or by a ring fixed to the end of the shaft, may be made fast to any post, &c. on the way. A few of such instruments may be of infinite use at night in seizing and securing street blackguards, footpads, &c.

Two old foxes, and seven full grown cubs, were unkenneled lately in a corn-field, in the parish of Llanfihangle Tre'r Beirdd, in Anglesea, which had committed great depredations among the poultry in the neighbourhood. Two of the marauders were taken alive, and the remainder destroyed.

A person, resident in Cow Green, in Halifax, has a brood of *thirty-one* chickens, all hatched by the same hen.

A sun-fish, of enormous size, was lately caught on the coast of Wexford; 80 buts of blubber, little inferior to spermaceti, have already been compressed from it.

A respectable farmer in the county of Perth had lately, *in the course of one week*, the following remarkable increase of his family and stock, viz. one daughter, two calves, eight pigs, six puppies, five kittens, and twelve goslings; being in all 34 creatures, besides several scores of lambs!!!—*Query*—Supposing this farmer were to give his daughter the above stock as her portion, and maintain them and their progeny till she attains 21 years of age, what would be the probable amount of her fortune at that period?

A few days ago Mr. Cooper's gamekeeper set a hook, baited with a roach, in the manor pond at Toddington, Beds: on going the next morning, he found a large pike caught, which with difficulty he got out—It appeared, that a pike of 3½lbs. weight was first caught, which was afterwards swallowed by a fish of the same description, weighing 13½lbs. and both were taken together.

POETRY.

THE HIGH COURT OF DIANA.

FOX HUNTING AND LOVE.

O! the devil take love and all its strife,
For love will bring nothing but sorrow!
And then as for that needless thing a wife,
Why that you'll consider to-morrow.
But join the gay spirits, that cheer the young day,
With hark, hark to Ringwood, my boys, hark away.

Never mind love, nor the vows she has wrung,
Come rouse up your spirits and follow;
You'll soon lose the music, that dwelt on her tongue,
In the notes of the huntsman's halloo.
Whilst rattling, the echo, through woodlands do play;
Yoicks, hark, hark to Ringwood, go, hark, hark away.

Have at him, old boy—I know it is good:
Get together—now Match'em—yoicks, wind him:
A challenge is heard, here and there, thro' the wood,
Proclaims, we are not far behind him.
O, now may he baffle each wide drawing hound:
There, Maiden has view'd him—by G—d, he is found.

As through the rough glade they bring it along,
Now tell me, O, where is your sorrow!
Each crash marks the vigour that urges the throng;
Hark—on forward, I hear the view halloo.
O! *now*, what is love, and your lady's blue eye,
To yoicks—tally-ho—and the hounds in full cry!

Well settled they go at a terrible rate,
And let them keep with them who may, sirs;
O! now for a check, for ye *jockies* that *wait*,
Or bid them good-bye for to-day, sirs.
A-head—aye, that's lucky—now, now for a push;
Have at them, Old Roan, and we're in for the brush.

His favourite cover he's making apace;
Od zounds! why, the devils, are flying:
See Trueman, and Tomboy, are got in their place;
They *feel* the sly rascal is dying.
Up the hill—tally-ho—yon birds guide my eye;
Now, reynard, your knell is the tally-ho cry.

What, down in the gorse—clap to him in haste;
Earths are stopt, and he's now lost his mark:
He's stir'd—tally-ho—now reynard no waste;
To Matchless—good bitch—to Matchless go hark.
What! brave us again—no—look back o'er the grounds;
Yoicks, Mentor—run into.—Who-hoop, my good hounds.

Well, *now* then for love, if merrily clad,
But hang it if coupled to sorrow;
And mind what you're at, and be ready, my lad,
To cry tally-ho on the morrow.
In hunting, and love, may we ne'er lose our mark,
And earths be well stopt with—together go hark.

B. D.

SAM

SAM SNATCH;

Or, the Fashionable Bailiff.

Sung by Mr. Slader, in the Comic Burletta called the Widow Flinn, now performing at the Surrey Theatre.

MY name's *Sam Snatch—a grab*, d'ye see,
Never *vas* a bolder;
Vith high and low I can make free,
And tap 'em on the shoulder;
Vene'er I call, *they're not at home*,
Such *shy cocks*, only mind 'em;
But *ven* to lodge *vith* me they come,
Then I knows *vere* to find 'em.

(Spoken)—Sometimes, though, I meet with a troublesome customer.—T'other day *ven* I *vent* to grab Snip, the taylor, as I *vas* running after him into the cock-loft, his *vife* tore the skirt of my coat off.—I *axed* him to come down and sew it up for me, but he bolted the trap-door, and said, he'd see me d—d first, so I *vas* obliged to *valk* home with only half a coat, and sing

Fol de dol, de diddle dol, &c.

To *quod* I never makes 'em trip,
Vile they can come it freely;
And if they stand a handsome tip,
I uses them genteely:
Your *singers*, and *musicianers*,
I sometimes catch afloat, sirs;
They say they do not like my *bars*,
And I *vont* take their *notes*, sirs.

(Spoken)—*Von* day, too, I *nabb'd* a poet—he talk'd about *pig-asses*, and a *mews on fire*—he said something too about *Homer* and *Wirgil*; says I, if they're *respectable housekeepers*, I don't mind taking their bail, if not, you must go to quod and sing

Fol de dol, de diddle dol, &c.

'Mong bucks of fashion I have plied,
They found me sly and cunning;
And often *ven* my nibbs they spied,
Lord, how I set 'em running!
'Mong dashing whips, some sport I've made
Vith Benjamins and *slouches*;
For *vine* and taylor's bills unpaid,
Their *tits* and their *barouches*.

(Spoken)—Yes, I *nabb'd* one of 'em t'other day.—That was *prime*—I took him to a genteel lodging in Chancery-lane—There, says I, now you're *bang-up*, and if you can't *come down*, you must stay here, and sing

Fol de dol, de diddle dol, &c.

THE TRUAGH WELCOME.

FROM THE IRISH.

SHALL a son of O'Donnell be cheerless and cold,
While M'Kenna's wide hearth has a faggot to spare?
While O'Donnell is poor shall M'Kenna have gold,
Or be clothed while a limb of O'Donnell is bare?

While sickness and hunger thy sinews assail,
Shall M'Kenna, unmoved, quaff his madder of mead?
On the haunch of a deer shall M'Kenna regale,
While a Chief of Tyrconnell is fainting for bread?

No! enter my dwelling, my feast thou shalt share,
On my pillow of rushes thy head shall recline;
And bold is the heart and the hand that will dare
To harm but one hair of a ringlet of thine!

Then come to my home, 'tis the home of a friend,
In the green-woods of Truagh thou art safe from thy foes;
Six sons of M'Kenna thy steps shall attend,
And their six sheathless skeans shall protect thy repose!

IMPROMPTU ON A FAVOURITE CAT.

By a young Lady of Eleven Years of Age.

HERE lies unfortunate Amy:—*
A lovely Tabby Cat;
But I must say, I do believe,
She never caught a rat:
Each morn, dear Amy came to me,
With me her milk she had,
I gave her oft her dinner too,
She ne'er was sick nor sad.
Her coat was like the finest silk,
Her eyes as brilliants shone,
Her form was little, fat, and round,
You could not feel a bone!
Her mind was haughty, fierce, and proud,
For no one did she care,
She minded nothing, no not she,
Save that she well did fare.
This darling Cat died of a fit;
I saw her in the morn,
At eve she lay stretch'd out and cold,
And left me quite forlorn!

* The Cat's name.